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THE  
POLITICAL REGISTER,  
AND  
IMPARTIAL REVIEW  
OF  
NEW BOOKS,  
FOR MDCCLXIX.

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VOLUME THE FIFTH.

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L O N D O N:  
Printed for HENRY BEEVOR in Little-Britain.  
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THE UNIVERSITY OF CHICAGO

1911

WILLIAM H. HARRIS

1100 N. W. 11th St.

ANN ARBOR, MICH.

1911

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T H E  
**POLITICAL REGISTER,**

For J U L Y, 1769.

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N U M B E R XXVIII.

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For the POLITICAL REGISTER.

MINISTERIAL OPPRESSION *exemplified in the Case of* THOMAS MORTIMER, Esq; *late his Majesty's Vice Consul for the Austrian Netherlands. Addressed to* LORD WEYMOUTH, *and his under Secretaries Messieurs* R. WOOD *and* W. FRASER.

*My Lord, and Gentlemen,*

**T**HE necessity you have laid me under of publishing to the world, the following very singular case, points out the propriety of addressing it to you, that you may have a fair opportunity of canvassing every fact therein stated; and of comparing your unprecedented behaviour to me, with the conduct of your predecessors in office, who honoured me with a considerable share of their confidence, who approved my services, rewarded me for them publicly, and promised me their protection, and recommendation to the King.

You will probably be called upon by an equitable, generous and compassionate people, to assign a sufficient reason for the removal of a commercial officer from a station of such importance to the trading interest of this country, as the port of Ostend; and for leaving him, by a sudden, instantaneous deprivation of his office, totally unprepared to settle his private affairs, or to screen himself from the resentment

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of the magistracy of Ostend; whose displeasure he had incurred by an active and diligent discharge of the duties of his office, in a point of the utmost importance and of the greatest delicacy.

I am aware that you are furnished with a variety of excuses for this measure, all of them equally frivolous, and calculated by low policy to deprive me of my worthy patrons. Tired however of waiting the long expected time, when you should make some retribution for the irreparable injury you have done me, by removing me without any previous notice from his majesty's service, I now carry my cause, by appeal, to the tribunal of an impartial public; where I hope to make it appear that there never was such an instance in England, of an officer so dismissed, and so wronged for doing his duty. And give me leave to observe, that I should not have delayed this publication so long, if I had not been buoyed up by the assurances given me, by your particular friends, that you were sensible of the injustice you had done me, and "that Mr. Wood in particular, was sorry for it, and wished to provide for me, but could not find an opening."

Another inducement for postponing this narrative was, a hint from a respectable character abroad, "*that you would look upon the publication of my case, as intended to foment those political factions that have lately distracted us at home, and rendered us contemptible in the eyes of all Europe.*" Professing myself a firm friend to our happy constitution in its genuine purity, founded on revolution principles, and of course a zealous advocate for the rights and privileges of the people, I forbore troubling the public with the private griefs of an obscure individual, not because I dreaded the imputation of fomenting political factions, but because I was unwilling to divert the attention of my countrymen from those important objects which demanded all the efforts of national virtue, and every exertion of that noble ardour in the cause of public freedom, which distinguished and dignified our forefathers. I have therefore chosen the present interval of domestic tranquility, which cannot be of long duration, for a publication, the chief intent of which is, to convince my friends in particular, and the world in general, that I have not deserved the shameful treatment I have met with from you.

Your lordship's removal with your under-secretaries from the Northern to the Southern department, doubles the weight of the blow you have given me, and increases the necessity of

of presenting my case at this time to the public. By this removal the scene is closed upon me in the Northern department, and the nobleman who now holds that office is left an utter stranger to my person, my character and my pretensions in case of a future vacancy; when had your lordship been continued there, it would hardly have been possible for you to have evaded my just expectations. The succession to the consulship of Flanders had been repeatedly promised to me by successive administrations, when your lordship, or more properly speaking, your lordship's secretaries, came into office, and I may venture to affirm they made little other use of the seals than to remove me from my employment, and enable Mr. Hatton and Mr. Irvine to put the finishing hand to a venal contract, commenced in 1766, and at that time rendered abortive by the candid, benevolent conduct of the right honourable General Conway.

I must observe here, that it has been hinted to me by some gentlemen of distinguished rank, that the transient civilities I shewed Mr. Wilkes in the month of December, 1767, while he was wind-bound at Ostend, in waiting for a passage to England, had done me singular disservice with your lordship. It has also been asserted, "that I was one of Wilkes's faction." I therefore think it incumbent on me in this public manner, to declare, that I detest the name of faction as much as Lord Weymouth, and that from my soul I abhor all tumultuous, irregular proceedings that tend to disturb the peace and good order of a well-regulated civil government, if it were for no other reason, but because I wish the friends of the constitution of this free country, would avail themselves of the true spirit of the laws, which afford the most speedy and effectual method of inflicting condign punishment on bad ministers. Those that knew me in office, can testify the proofs I gave of my loyalty to my sovereign on every occasion, proofs that are incompatible with the idea of faction; but which did not debar me of shewing politeness and civility to a private gentleman in a foreign country, which was all the connection I ever had with Mr. Wilkes, and since my dismissal, however I might privately espouse the cause of freedom, I have not attached myself to any man's particular interest. Mr. Wood knows the contrary. Having said this, let me express my grateful sense, as an Englishman, of the services Mr. Wilkes has rendered his countrymen; by the spirited measures he took in support of his own inherent rights as a British subject, and of his acquired privileges as a representative of a free people;

and my firm belief, that it was wholly owing to the glorious stand he made against the arbitrary proceedings of the secretaries of state, when his person and papers were illegally seized, that the attempts then made to infringe the liberty of the press, which is the only preservative against ministerial oppression, failed of success. To him I am probably indebted at this time, for the privilege of publishing my case, without the horrid apprehension of having my printer and publisher's houses ransacked, and their persons taken into close custody.

In a word, not being of sufficient consequence to add strength or influence to any political party, I can only most sincerely wish for the success of the best friends of the illustrious house of Hanover, and of the protestant cause—The independent Whigs—those real supporters of the constitutional rights and privileges of the people; and severe scourges of popery and despotism. But should this publication happily secure me their patronage and protection, I shall esteem it one of the most fortunate events of my life. For the time is fast approaching—when the intricate situation of public affairs will render it absolutely necessary to place the direction of government in the hands of those, whose ancestors established it in the present royal family, that it may be recovered from that state of internal discord and debility, into which it has been plunged by the subversive measures of a set of men, who have vainly endeavoured to bury the spirit of national liberty, in the ruins of party distinctions—when the ministerial operations of 1768 and 1769, shall be held in as much detestation by the real friends of their country, as the inglorious æra of an unnatural rebellion against the good old king—And then there will not be any occasion for *petitions*, nor for *addresses*, except of congratulation. For prince and people, nobles and commons, the rulers and the ruled shall be of one mind. GEORGE THE CLEMENT, shall be almost adored at home, and universally respected abroad—the field of blood shall only be found on hostile shores—the free-born Briton shall not be slain in any ignoble cause, but shall freely devote his life to the service of his country, against a common enemy—the majority of the representatives of the people shall be endued with honesty enough to be safely entrusted with the sacred rights of their constituents, and courage sufficient to maintain and support them against the strongest efforts of Machiavellian, or which is the same thing, Butean policy—and then my lord, your lordship, your under secretaries

taries, and the author of this address, will probably be forgotten, and I hope forgiven, for all the past errors of their conduct.

THOMAS MORTIMER.

## THE CASE.

In the year 1763, MICHAEL HATTON, Esquire, Consul for Flanders, who had just acquired an immense fortune by the lucrative employment of Commissary to the army in Germany, finding that his majesty's subjects trading to and residing at the port of Ostend, began to complain loudly that there was no consul or vice-consul to officiate there, thought proper to apply to the right honourable the Earl of Sandwich, then secretary of state for the northern provinces, for leave to stay at home, and to appoint Mr. Mortimer to be vice-consul for the ports of the Austrian Netherlands, in virtue of a power granted under the consul's commission of appointing a *sufficient* deputy. The secretary of state, the proper judge of the sufficiency of such deputy, after having taken a considerable time for deliberation on Mr. Hatton's request, was pleased to accept Mr. Mortimer as vice-consul under Mr. Hatton's commission, which vests the same power in the deputy, as in the principal, and to order him to repair to his station. Mr. Hatton by this arrangement was left at full liberty to pursue the most important object of his life, the adjustment of his commissarial accounts with the treasury, and to attend to a contingency which it was hourly expected would add to his good fortune: The death of the duke of Dorset, then lord warden of Dover castle; on whose demise Mr. Hatton's earthly maker, lord Holderness, succeeding by reversion to that post, Mr. Hatton was certain of the appointment he now holds under his lordship of lieutenant colonel of Dover castle. Mr. Irvine, who had formerly acted under Mr. Hatton, in a limited capacity as his deputy at Ostend, when Mr. Hatton made that place his usual residence, and only absented himself occasionally, was at this period, deputy conservator of the Scotch privileges at Campvere in Zealand, which employment can only be held by Scotchmen; and having some private obligations to Mr. Hatton, he saw himself under a necessity, if Mr. Hatton insisted upon it, of quitting a station which was agreeable to his inclination and his interest, in order to act again under Mr. Hatton. In this situation of affairs, Mr. Irvine hit upon the

the expedient of recommending Mr. Mortimer who was an utter stranger to Mr. Hatton. Mr. Mortimer being differently circumstanced from Mr. Irvine, having a large family, could not possibly think of accepting the office on the same terms as Mr. Irvine had held it, who had never been presented to any secretary of state, nor acknowledged by the government as a crown officer, because Mr. Hatton was in his time supposed to be resident.

The first question therefore which Mr. Mortimer put to Mr. Irvine was, Whether Mr. Hatton ever intended residing again in Ostend? His answer was in the negative, unless the ministry should at any time oblige him to it, and of this there was little or no probability if Mr. Mortimer was presented to the secretary of state, and acknowledged by the government to be the sufficient deputy under the commission, to which he added, that Mr. Hatton detested the country even while the English army and his best friends were in it, and while he was in the prime of life, and anxious to better his fortune; but that now he was happily at his ease, and was on the point of purchasing an estate in Kent as near Dover as possible, and therefore would be glad to be left to the enjoyment of his wealth, and the pursuit of the objects already mentioned, without molestation.

The second question was, As to the income. This Mr. Hatton and Mr. Irvine both assured Mr. Mortimer was very small, arising from the consulages paid by the masters of British vessels, and amounted to about forty pounds *per annum*; but that he had a right to form commercial connections which might be done to great advantage and prove a genteel support for his family. And that on Mr. Hatton's demise, there could be no doubt of Mr. Mortimer's succeeding him, and of enjoying the government salary annexed to the office, *viz.* 200*l.* *per annum.* Imagining that such a salary was an object deserving Mr. Irvine's attention, Mr. Mortimer then asked Mr. Irvine if he should never turn his thoughts towards that succession, or employ his interest to obtain it? To which that gentleman made answer—No, by the living God, or it would be no act of friendship to recommend you to Ostend. I have other views, the conservatorship of Campvere; and shall never think of Flanders, but on the contrary, will use my best endeavours to promote your interest there, and if you behave well you cannot miss of the reversion; it being very unusual to set aside a commercial officer who understands the trading connections of the port where he resides, and has given sufficient satisfaction to the king's subjects engaged in



in the several transactions of his department. This being confirmed by Mr. Hatton, who indeed declined saying more upon the occasion than was absolutely necessary, their proposal was thankfully accepted by Mr. Mortimer, and on the receipt of a note from Mr. Phelps under-secretary of state, acquainting him that the earl of Sandwich expected him to set off for Ostend as soon as his affairs would allow of it; he repaired to his station without loss of time.\*

At Dover Mr. Mortimer received the following letter from Mr. Phelps,

Sir,

Whitehall, Dec. 2d. 1763.

Enclosed you have a letter for Sir James Porter his majesty's minister at Brussels, from whom you will receive all kind of instructions and civilities. I heartily wish you a good passage and journey, and am with great truth, &c. RICHARD PHELPS.

From that moment to the hour of Mr. Mortimer's dismissal, Mr. Hatton's name was never mentioned verbally or in writing by any of the secretaries of state who did him the honour to correspond with him, nor by any of the great officers of state in any other department, upon any occasion relative to the consular office in Flanders. But after that dismissal by the appointment of Mr. Irvine the 30th of March 1768, to be consul of Flanders, Mr. Wood very rudely told Mr. Mortimer, at his office in Cleveland row, that, their office, then the northern department, had nothing to do with him or his services, nor could he have any claim on the office, to be provided for or recommended, for he was only Hatton's deputy; and on this foundation he very humanely discarded him, and totally ruined his fortune.

It will be seen in the sequel in what light Mr. Mortimer was really considered by the government in the course of a very interesting correspondence.

On his arrival at Ostend, he found the merchants, the masters of vessels trading to that port, and the British inhabitants in general, bitterly complaining of the very great oppressions they laboured under from the augmented heavy duties on all articles of the British commerce with Flanders; declaring that the Flemish government had taken every method to banish them, and to cut off the British trade to that country, since the alliance between the courts of Vienna and Versailles.

Mr. Mortimer having represented this to Sir James Porter, to whom he was obliged immediately to repair, to be admit-

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\* Dated Whitehall, Nov. 21st. 1763.

ted by the Flemish government, to exercise the functions of his office, that able minister ordered him to draw up and transmit to him a general state of these grievances, which he accordingly did on his return to Ostend, and on this occasion Sir James Porter did him the honour to express himself in these terms, in a letter dated at Brussels, January 11th, 1764. " Sir, " I have not thanked you for your instructive letter of the " 23d of December, as I should have done, I have however " made a proper use of it, and sent it where it will corroborate some facts which rested on a single evidence—and if I " can, as possibly I may, promote your interest and assist " your future fortune, I certainly shall." In the month of July following, Mr. Mortimer received his majesty's commands in dispatch from the right honourable the earl of Sandwich, strictly enjoining him to transmit to his lordship, an account of the contraband trade carried on from the coasts of Flanders to Great Britain and her colonies, agreeable to proposals for that purpose, contained in three papers from the lords commissioners of the treasury to the said secretary of state, a copy of which his lordship inclosed, and further ordered Mr. Mortimer to send a duplicate of his informations to the lords of the treasury. In obedience to these orders, and animated by an ardent zeal to promote the commercial interests of his country, Mr. Mortimer applied himself so diligently and effectually to this service during the winter of the year 1764, and the spring of 1765, that he had the honour of obtaining the particular approbation of the right honourable George Grenville, then first lord of the treasury, expressed in the following terms by Charles Jenkinson, Esq; then secretary to the treasury,

Sir,

London, Nov. 27th 1764.

I have had the favour of your letter, which I have laid before Mr. Grenville, he directs me to say, he very much approves of your diligence in procuring and transmitting information of the illicit trade carried on from the ports of Flanders to this country.†—Mr. Grenville bids me at the same

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† If any gentleman or merchant is desirous of seeing copies of the original informations sent by Mr. Mortimer to the lords of the treasury and to the custom house, he will readily lay them before them; but as some of the measures which he had the honour to advise are still pursuing by government, and the whole of this affair must necessarily be kept

same time assure you, that he will have your services in remembrance, and that you may expect soon to reap the fruit of his good intentions. I am with great truth, &c.

*T. Mortimer, Esq; his majesty's vice-consul for Flanders.* C. JENKINSON.

But the following letter, from the same gentleman, will serve as a standing proof of the entire approbation of Mr. Mortimer's services by the whole board of treasury.

Sir, London, June 4th 1765.

The business of parliament during the last session so entirely engrossed my time that I was not able to answer the letters with which you favoured me: I did not fail however to lay them before Mr. Grenville and the rest of the lords of the treasury; and I have now the pleasure to acquaint you, that their lordships have ordered a hundred pounds to be paid you at the custom-house, as a reward for the services you performed to the advantage of the revenue, by the intelligence you at several times have transmitted to their lordships. I am with great esteem, &c.

C. JENKINSON.

As a further recompense for these services, and in consequence of the warm recommendations of his respectable friend Sir James Porter, Mr. Grenville and lord Sandwich had engaged Mr. Hatton to make Mr. Mortimer an allowance out of his salary as consul of Flanders. This allowance amounting only to 63*l. per annum*, though obtained by the free consent of Mr. Hatton, as appears by his letters to Mr. Mortimer dated January 5th, and February 14th 1765, did not fail to enrage him; and on the resignation of those ministers, his animosity publicly broke forth; and from that hour he assiduously studied every means to sell the consulship, or to procure leave to resign it to Mr. Irvine on certain private conditions, in order to exclude Mr. Mortimer from the just expectation he entertained of succeeding to that office at his death, as a further reward for his services to the government. Mr. Hatton's avarice upon this and all other occasions got the better of every other consideration, and though he now enjoyed the profitable employment (he had so long expected) in Dover castle, and his half pay as one of the German commissaries, besides the income of the immense fortune he had amassed by that post, and though his duty at Dover castle obliged him to residence in the neighbourhood, so that he knew he

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kept secret for the benefit of the fair trader, particulars cannot be given to the public in general.

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could

could not possibly officiate at Ostend, it would not permit him to let Mr. Mortimer enjoy the fruits of his unwearied attention to the duties of his office. The consulship was hawked about upon the exchange of London, as it had been at Antwerp in the beginning of the year 1763, when it was rated at 1500*l.* and offered to Mr. Hollier, a gentleman, who, for reasons which it would be ungentle to mention, was totally incapacitated to bear the king's commission, or to execute any office of trust under the British government, yet Mr. Hollier employed Dr. Blackwood, well known for his judgement in pictures, to negotiate this affair, and it was to the failure of this contract that Mr. Mortimer stood indebted for his appointment. During the year 1765, Mr. Irvine continued settled at Campvere, and would not listen to Mr. Hatton's terms, and Mr. Mortimer continuing his public services, so strengthened his interest both at home and abroad, that it was not thought prudent to pursue the scheme of selling the consulship to a stranger.

But in the beginning of the year 1766, affairs took a different turn in Zealand. Mr. Irvine having been unjustly arrested by the magistrates of Flushing in Zealand, highly resented this indignity; and having laid his case before Sir Joseph Yorke and the ministry at home, satisfaction was demanded of the States-general. But their high mightinesses after a tedious negotiation, remaining disposed rather to justify the conduct of the magistracy of Flushing than to grant Mr. Irvine proper satisfaction; he conceived such a disgust to Zealand, that he was determined to resign his employment. And as the soliciting of his suit, necessarily brought him to England: Mr. Hatton took this opportunity of tempting him to turn his thoughts once more to the consulship of Flanders, in which, unhappily for Mr. Mortimer, and to the eternal disgrace of Mr. Irvine, he succeeded. Mr. Hatton's motions having been communicated to Mr. Mortimer, he wrote to Mr. Irvine on the subject, who gave for answer, " That Mr. Hatton had proposed to Mr. Baxter his friend in London to resign the consulship to Mr. Irvine on his securing to him for his life the sum of 100*l.* which he then drew from it; that Mr. Baxter had wrote to Mr. Irvine advising him to accept the offer, but that he had no such intention." On the face of this contract it is evident the chief view of Mr. Hatton was the removal of Mr. Mortimer from the consulship, unless it can be supposed that his predominant passion avarice prompted him to render the remainder of the salary he enjoyed from the consulship secure for life, by this contract with Mr. Irvine, apprehending that the government might give the whole to Mr. Mortimer.

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However, in order to guard against all surprise, Mr. Mortimer's friends about this time strongly recommended him to that polite, and candid gentleman, the right honourable general Conway, then secretary of state; and among the rest Mr. Gordon, who succeeded Sir James Porter as his majesty's minister at Brussels, wrote him the following letter.

Sir, (Private) Brussels, July 11, 1766.

As merit will always meet with encouragement from your excellency, I most sincerely recommend the vice-consul at Ostend to your protection—as honest and faithful a servant as any his majesty employs abroad in that station, and who has in the post I have the honour of serving his majesty, been of real service to me by his vigilance and activity—should he for want of friends lose the consulship at Ostend, he will be miserable indeed, and his majesty will lose a very diligent and active officer. The doing justice to the character of a man of worth, I hope will serve as my apology for the liberty I have now taken, and if your excellency can be of any service to him, you will oblige him who has the honour to be, &c.

*To his Excellency General Conway.*

W. GORDON.

About this time Mr. Mortimer having wrote to his excellency for a short leave of absence, which was granted him soon after; he received a letter from Mr. Hatton, who had been informed of his application, as he imagines by one of the clerks in the secretary of state's office, desiring him to stay at Ostend till he should hear from him again, which should be in a few days. Mr. Mortimer though prepared for his departure, put it off in expectation of a second letter explaining the meaning of this request. And on the 22d he received intelligence that Mr. Irvine was arrived at Bruges the next town to Ostend, but kept his arrival there a profound secret. As Mr. Irvine had written to Mr. Mortimer a few days before from Campvere, and had not mentioned his intention of visiting Flanders, which it was customary for him to do, for they were in strict amity and kept up a constant correspondence, he began to suspect there was something extraordinary in agitation, and therefore went to Bruges to Mr. Irvine, to whom he put this question. Do you expect Mr. Hatton at Ostend, you know what has passed between him and Mr. Baxter at London, about resigning his consulship in your favour, I hope no surprise is meant? His answer delivered with the most solemn asseverations, such as, *by God, &c.* was, I believe Mr. Hatton is at Bath, that was the last account I had, I know nothing of him. I am here in expectation of meeting with some friends from England,

who are going to Paris, and as I intended to go back to Campvere immediately after I had furnished them with some letters of recommendation, I did not purpose going to Ostend, and therefore kept my being here a secret, that I might not be importuned by my friends at Ostend, to make them a visit. But as you are come, I will attend you to-morrow. Accordingly Mr. Mortimer and Mr. Irvine came to Ostend the next day, and had not been there half an hour before Mr. Hatton landed from the packet boat, which was just arrived from Dover, being the first time he had set his foot in Flanders in the space of fifteen years. On Mr. Mortimer's pressing Mr. Irvine to explain the meaning of his sudden appearance; he then confessed that Mr. Hatton had ordered him to meet him there on pain of his displeasure, and had strictly enjoined him secrecy. At a meeting of the three parties on the 25th, Mr. Hatton with great vehemence told Mr. Mortimer, that he had used him very ill during his residence at Ostend, as his deputy, particularly by applying to Mr. Grenville and lord Sandwich for part of his salary, in consequence of which that measure was forced down his throat, and he was on the point of losing the consulship for endeavouring to evade it. He added, that Mr. Mortimer had never informed him of any public business of the consulate, but neglected him as a cypher, and therefore he was now determined to reside himself. After a volley of other abuse, Mr. Mortimer coolly replied, That the government having been pleased to think his services merited encouragement, it was not his place to prescribe the mode. That so far from not giving Mr. Hatton information of public business, he had wrote him a long letter with a state of the British commerce, and of the grievances the British subjects lay under, dated December 23, '1763, when he had resided at Ostend only 21 days. But that receiving some time after, a letter from Mr. Hatton on private affairs, he found he took no notice of the said public business, and as he further on enquiry had received information that Mr. Hatton had not made any application to the ministry about that public business, it was natural for him to conclude, that Mr. Hatton did not choose to embarrass himself with the business of the consular office, after having fixed him in it. Mr. Mortimer was then desired to produce all his public and private papers, copies of letters and correspondence with the government for Mr. Hatton's inspection, which he positively refused. And for an obvious reason, Mr. Grenville was then out of his office, and the transaction

factions that had passed between Mr. Mortimer, the treasury, and the custom house, were such as he did not think proper to trust Mr. Hatton with, of all men living.

A proposal was then made that Mr. Mortimer should permit the resignation to pass quietly, and Mr. Irvine would continue him vice-consul till he could be otherwise provided for. To which he replied, that he would consult his friends in London, and give Mr. Hatton his answer there. Mr. Mortimer sailed for England the next day, and Mr. Hatton went up the country on a visit, and then followed him, but did not presume during his stay, to officiate as Consul.

The first thing Mr. Mortimer did on his arrival at London, was to write to lord Sandwich and Mr. Grenville, a state of the proceedings at Ostend, as he understood that Mr. Hatton had agreed never to molest him in his office. In consequence of this application, he received the following letter from lord Sandwich.

Sir, Hinchbrook, August 22, 1766.

In answer to your letter desiring me to recollect what passed at the time when it was fixed that you should receive one hundred a year—(*the taxes and deductions on the whole salary were taken from that allowance, which reduced it to 63l.*)

I am very ready to give you any information which is likely to be of use, and to which you are in justice entitled. I well remember that those who had the management of the revenue, when I had the honour of serving the king, were so well pleased with your diligence, and with the services you had done to the revenue, that it was intended to recommend it to his majesty to remove Mr. Hatton, and to put you into his place; and this I believe would certainly have been effected, had it not been for my interposition, who, *as a favour to Mr. Hatton, compromised the matter*, and prevailed on him to allow you one hundred a year, and *to leave you unmolested in the execution of your office*. It is besides my opinion, that if Mr. Hatton had agreed *to reside*, the then treasury would not have been satisfied with it, as they had confidence in you, and considered you as an useful servant, while they looked upon him in a different light.

I am, &c.

SANDWICH.

With this letter, and another from George Rice, Esq; one of the commissioners of trade and plantations, Mr. Mortimer waited on General Conway, to whom he had likewise been recommended by one of the lords of the new treasury board, who was pleased on the recital of his case, to assure him that no such resignation should take place in his time: And desired him to tell Mr. Hatton to wait on him, that he might

might be informed if he had any complaint to make of Mr. Mortimer, respecting the public business. Mr. Mortimer accordingly left a line for Mr. Hatton at his lodgings, not finding him at home, to that purport, but he chose to decline the meeting, and retired to his estate the next day. Thus the whole plan failed, which had been concerted between Mr. Hatton and Mr. under-secretary Fraser, who had been formerly secretary to lord Holderness, and by this means became a firm friend to Mr. Hatton. But very impolitically they had never condescended to ask general Conway's opinion of their project. It was unnecessary to trouble Mr. Grenville for a recommendation, and therefore Mr. Mortimer wrote a second letter to that worthy gentleman, who assured him in answer, "that he should very willingly have given his testimony of his good behaviour in his station, and that it would have been a pleasure to him to have done justice to his conduct, but heartily congratulated him that there was now no occasion for it."

It will now be necessary to state in as brief a manner as possible, some other singular transactions at Ostend, during the years 1764, 1765, 1766, and 1767, that it may appear how far Mr. Mortimer merited the protection he constantly received, from different administrations, 'till lord Weymouth came into office.

In 1764, Mr. Mortimer by representation to Sir James Porter, procured the annulling a very oppressive regulation of the magistrates of Ostend, compulsively obliging the masters of British ships driven into that port by stress of weather, to consign their ships and cargoes to brokers appointed by them. As nothing can tend more to shew the disposition of the Flemish magistracy, we hope the memorial to Sir James Porter on this subject will not be unacceptable to the public.

MEMORIAL, addressed to his excellency Sir James Porter, his majesty's minister plenipotentiary at Brussels, the 26th of November, 1764, by Thomas Mortimer, vice-consul at Ostend.

"The magistrates of Ostend in the year 1760, appointed commissaries to take charge of all ships entering the port of Ostend, that should not appear to be consigned to any merchant or factor of the town; and the better to secure these vessels to their commissaries, the pilots on boarding them were ordered to ask the masters to whom they were consigned, and if they did not immediately declare the name of some merchant or agent in the town, they were to be conducted to the commissaries, who were to take charge of the said ships,



ships, to clear them at the custom house, and to do all other such necessary acts as might be required for the service of the said ships masters.

This regulation still subsisting in full force, his majesty's vice-consul thinks it his duty to represent to your excellency, that the said regulation, so far as it respects British ships, is a manifest infringement on the consular rights, and is attended with consequences injurious to the owners and freighters, as well as to the masters of the said ships, who are thereby deprived of the assistance they have a right to expect from the British consul, and are subjected to sundry grievances, of which the most important is, that British ships driven into the port of Ostend by stress of weather, and having received damages at sea, are obliged to be put under the entire direction of the Flemish commissaries. And as it often happens that the masters have not money to defray the expences of refitting, and the port charges; the said commissaries in all such cases, absolutely refuse to advance them any money, even on good bills upon their owners and freighters; but insist on their selling a part of their cargoes or personal effects to defray the said expences, though the British merchants and agents inhabitants of the place would gladly take their bills, and do every necessary office of brokers for the said masters. By this means cargoes have been sold to the great prejudice of the owners, and to the emolument of the commissaries.

The said vice-consul having lately applied to the Burgo-master on two occasions, was told, it was agreeable to the maritime laws, that the masters of vessels should sell their personal effects, or part of their cargoes, to defray their expences in ports where they are strangers, and that the consuls should not interfere in it.

He therefore begs your excellency's instructions on this head, and further represents that it appears to him, that the masters of all British vessels entering the said port by stress of weather, or for other causes, and having no agent in town to whom they are directed to apply, should be left free and at liberty to demand the British consul's protection, assistance, and recommendation, agreeable to the rules of all other ports where consuls reside, or to consign themselves to whom they think proper. And as the said regulation was made at a time when there was no British consul, or vice-consul resident at Ostend: The said vice-consul solicits your excellency to endeavour to obtain a repeal of the said regulation, so far as it interferes with, and interrupts him in the execution of his office. The masters and owners of some  
British

British ships having made their complaints to him on that head”.

Notwithstanding the magistracy employed all their credit in the privy council at Brussels, yet such was the weight and influence of a resolute and experienced minister, that Sir James carried his point, the ordinance of the magistrates was declared null and void with respect to British ships, to the great joy of our countrymen. By the same powerful interposition a British ship valued at two thousand pounds which had been confiscated for a trifling offence, the concealing a very small quantity of salt, to preserve their provisions, was restored. And Sir James Porter expressed the pleasure he took in supporting Mr. Mortimer upon such application to him.

In the month of February, 1765, Mr. Mortimer transmitted an exact state of the British commerce in the ports of Flanders, and of the commerce of all other nations to that country, with a duplicate to the board of trade, pursuant to orders received from the earl of Sandwich on that subject—and also an account of the several augmentations of the duties on British commodities, by private ordinances of the council of finances at Brussels, in violation of the barrier treaty of 1715. This service was attended with great difficulty and expence. And in the month of August of the same year, he had the honour to present the following memorial to his grace the duke of Grafton, then secretary of state for the Northern provinces.

“His majesty’s vice-consul for the port of Ostend begs leave most humbly to represent to your Grace, that he apprehends the present establishment of the English and Irish jesuits at Bruges will prove highly detrimental in many respects to Great Britain.

The conveniency of constant trading vessels between London and Bruges, and the regular, frequent voyages of the king’s packet boats stationed at Dover and Ostend, affords them the most favourable opportunities of passing and re-passing to and from England unobserved as often as they think proper.

The chief visible object of their frequent voyages to Great Britain is, the procuring of children to be educated in their seminaries at Bruges, where they have two schools, the one for young boys, which they call the little school, the other for boys from about ten years of age, who wear the jesuits habit, and receive a finished education.

A number of persons are constantly employed in London and in the several counties of England as agents to seduce the parents of children to send them abroad for education, among whom are the persons whose names are annexed to this memorial ; and the said vice-consul begs leave to assure your grace, that if it shall be judged necessary for his majesty's service, he can procure exact lists of almost all the persons so employed, with the number and quality of children sent over from England for education, and the present state and condition of all the popish seminaries for the education of British children along the coasts of France and Flanders ; which seminaries are now in a more flourishing condition than ever, owing to the number and frequent voyages of passage boats to those coasts, and to the fatal propensity discoverable in his majesty's subjects, though protestants, to send their children abroad for foreign education.

Besides the money that is annually remitted from England to pay for the education and board of these children, the said vice-consul has observed with concern, that large sums of our best gold coin, new weighty guineas, which pass on this coast for 1*l.* 2*s.* 3*d.* are brought over by the parents and friends of the children, who instead of summer excursions in their own country, make voyages to Bruges, and purchase lace, linen, and other articles with their new guineas, to be clandestinely carried home to the defrauding of his majesty's revenue.

The said vice consul begs leave further to remark to your grace, that the unlimited freedom of embarking on board the packet boats, which are the king's vessels (appropriated to the sole purpose of carrying the mails, messengers, and other persons on the government service) without being subjected to the least examination either at Dover, Calais, or Ostend, though it is a matter of permission, not of right, to embark on board these vessels, is a great encouragement to the jesuits and other popish agents to pass and repass frequently incognito, under various disguises. He therefore submits to your grace's consideration, whether it might not be expedient to oblige persons passing and repassing in the packet boats, to take passports of the king's officers on both sides the water, to be delivered to them gratis, being only calculated to render them subject to the notice and examination of such officers.

That it seems to be a very striking instance of misconduct in the post-office, to vest the entire management of the king's packet boats in the hands of the Flemish post-master at Ostend, a bigotted Roman catholic, while the king has a consul or vice-consul resident on the spot.

Vol. V.

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That

That superstition and enthusiasm of the rankest kind reigns universal, and is encouraged by the government throughout the Austrian netherlands.

That the Irish and English Jesuits, banished from France and established at Bruges, are the avowed enemies of our most gracious sovereign, and as a proof of their attachment to the house of Stuart, portraits of the pretender are hung up in the public rooms of their academies, decorated with the insignia of the noble order of the garter, and a crown and scepter repose on a cushion.

That these jesuits receive large contributions from England for the support of the different societies of English and Irish jesuits in other parts of the world.

Lastly, that the academy at Brussels for boys, and the nunnery at Calais for the education of girls, and some others have been advertised this year in the London news-papers.

These circumstances the said vice-consul thought it his duty to lay before your grace, and humbly hopes that in so doing he approves himself a dutiful servant to his royal master, and may merit your grace's favour and protection."

In justice to his grace the duke of Grafton it must be remembered, that the author of this memorial was honoured with the thanks of his grace, and his constant protection while he held the seals of the northern department. The duke was also pleased to observe, that the intelligence exactly agreed with the information received from the king's officers on the sea ports; and that he thought it expedient to establish a form of pass-ports for persons embarking on board the packet boats at Ostend, and would talk with the post master general on the subject. But this measure was overset, and a few months after Mr. Nathan Brame, merchant at Ostend, gave the vice-consul the following account of its miscarriage, as it was related to him by Captain Robert Wellard, master of the Hanover packet boat. Mr. Barham agent for the packet boats at Dover was consulted, and his advice prevailed. This gentleman, the most penurious man alive, perhaps sagaciously foresaw, that the subjecting passengers to examination, would diminish their number, for they might probably prefer going by trading vessels, and as he receives half a guinea for every passenger in the packet boats to and from Ostend, and the captains of the packets the same; he, therefore, ridiculed the scheme, represented it as absurd and not calculated to answer any one good purpose, alledging that it would only rob the packet boats of the passengers to turn

turn them over to the bye boats and London traders, which being the property of merchants could not be subjected to passports. The fallacy as well as the selfishness of this argument is apparent. The bye boats are hired chiefly for families, and when they cross the water, do not wait on the other side to pick up single passengers; and as to the London traders they do not perform a voyage and its return, in less than a month; whereas the packets go twice in the week, when the wind is fair. But Mr. Barham having carried his point, should have kept his own secret, and not have communicated this futile argument to the haughty captain Robert Wellard, who, foaming with rage, related the whole circumstance to Brame.

It is observable, that during all the last war, the said captain Robert Wellard was allowed, though a hale, hearty, middle-aged man, to stay at home at Dover, and hold the two places of captain of a man of war, and captain of a packet boat, in the latter of which he did not sail once in six months, leaving it to the care of his mate to secure the mails from French privateers; and was at home by his fire side, when thirteen Flanders and Italian mails were infamously brought home by a smuggling cutter in the year 1760, while his packet and some others lay in Flushing harbour, and would not stir out: the said cutter performed her voyage and returned in safety to Flushing to expend in teas and geneva, the sum paid to them by Mr. Barham for doing the duty of captain Robert Wellard's packet and its companions. But the case was this, the cutter had nothing to fear from the master of a small open boat privateer that lay in the Dunlow channel.

In the year 1766, Mr. Gordon his majesty's minister at Brussels, obtained a considerable diminution of the duties on paper hangings imported into Flanders from England. The very exorbitant duty on this article, amounting nearly to a prohibition, had been a subject of repeated complaint from Mr. Mortimer to the king's ministers at Brussels in a series of letters from 1764 to this time, and for which he had received their repeated thanks.

In the months of October and November of the same year Mr. Mortimer had the happiness to transmit very material intelligence to Mr. Gordon at Brussels, and to the right honourable general Conway, then secretary of state, concerning the seduction of British manufacturers and artificers from Great Britain to France and Flanders, particularly pointing out several persons employed in London to seduce them; and in a conference with Mr.

Gordon on that subject he had the honour to advise the measure, *of ordering the acts of Parliament inflicting various penalties on the seducers and the seduced, to be read in the parish churches of all the manufacturing towns in Great Britain every three months, and to be frequently inserted in the London Gazette.* Upon this occasion Mr. Mortimer received the following letter of approbation by order of general Conway, which is here inserted, as it was the last notice that was taken of him, the last attention that was paid to any letters he sent to the secretary of state's office on public business, or to any services he rendered to his country, though his zeal, activity, and diligence continued the same to the very last hour that he remained in office.

*St. James's, 25th Nov. 1766.*

S I R,

I am directed by Mr. Secretary Conway, to acknowledge the receipt of your letter of the 15th inst. and to approve the attention you have so properly shewn to the evil practices which have too successfully prevailed, of enticing the manufacturers of this country to settle themselves abroad, and am to recommend it to you to endeavour to find out the seducers of these deluded people, and to acquaint me, for general Conway's information, with any discoveries you may make on this head. For your instruction I send you inclosed two acts of parliament, (*being wrote for by Mr. Mortimer*) to which you will conform in every particular, and that none may plead ignorance of the laws in force. I am to desire you will inform the captain of every English vessel trading to Ostend, as well as the captains of the packet-boats, of the risque they run if they act in open violation of the laws to which they owe obedience. As you must be sensible how necessary it is for the king's service, that you should communicate every step you take to the king's minister at Brussels, you will, I make no doubt, constantly correspond with him.

I am Sir, your most obedient humble servant,

*To Mr. Mortimer.*

WILLIAM BURKE.

It should seem by the conclusion of this letter, that the king's minister at Brussels had been giving hints to the office, that he wished to confine Mr. Mortimer's correspondence to himself, and to prevent his corresponding as a principal, with the secretary of state; otherwise the admonition was needless, for Mr. Mortimer had always mentioned in his letters to the office, his constant correspondence with the minister at Brussels; and to say the truth, Mr. Gordon had made such warm professions of promoting his interest at home, and had taken such pains to instil the notion, "that he would much sooner get

get preferment through the recommendation of the king's ministers at Brussels, than through the merit of any services of his own ;" that he constantly transmitted some important intelligence or other to Mr. Gordon, to fill up that minister's weekly dispatches.

Nothing material happened in the vice-consul's department till the month of July, 1767, when Mr. Mortimer sent the following express to the secretary of state.

S I R,

Ostend, July 24, 1767.

I think it my duty to inform your excellency, that the British merchantman named *The Friend's Good Will*, Francis Lott, master, sailed into this harbour in the night of the 22d. she is laden with wheat from the port of *Magador* in Africa, for this port. *The Baltimore*, (the master as yet unknown) from the same place, came to anchor in the road the next morning; and a third, is hourly expected to appear.

The magistrates of this place assembled yesterday morning very early, and ordered centinels to guard each side of the canal of the port, to cut off all communication with the *Friends Good Will*, and to prevent their landing any of their people, or any letters; at the same time they ordered the master to depart with his ship the following tide.

The alarm was so great, and the consternation of the inhabitants so general, that the cannon were ordered to be loaded, and to be fired on the *Baltimore* in the road, if she should attempt to come in—the weather being too stormy to send out the pilot boat with proper signals and orders.

I spoke with the master and pilot of *the Friends Good Will*, who informed me they were all well on board, that they had not been in any port of Great Britain; and had only touched off Dover to take in the said pilot. The consternation of the people here, arose from a supposition that these ships had been refused admittance into the British ports, which seemed highly probable, as we have been constantly exporting wheat in great quantities for some time past; it was therefore not to be credited that their cargoes were destined for the consumption of this country.

On enquiry, I found that these ships were consigned to an English broker here, who had expected them for some time; and the wheat was to be unladen, and reshipped for the ports of England, in small British vessels lying here for that purpose, under the denomination of *Flemish wheat*. This circumstance occasions me the honour of writing to your excellency; I do not suspect with the Flemings, that the plague is actually on board these ships; but I imagine the cargoes may be faulty,  
and

and that the masters and owners may attempt to land this wheat at the port of Bristol, for which place the ships are now destined, under false denominations. The packet being on the point of sailing I have only time to add, that I have the honour to be, &c.

To his excellency Gen. Conway,  
*&c. &c. &c.*

T. MORTIMER.

Having obtained his majesty's leave of absence for a short time, Mr. Mortimer in the following month, found W. FRASER, Esq; in the secretary of state's office in the character of one of the under-secretaries, as he had never received any letter from this gentleman, but had constantly been wrote to either by his excellency, or Mr. Burke, who had now resigned, he was an entire stranger to Mr. Mortimer, who however, after the usual civilities thought proper to ask him if the above letter had been received, to which Mr. Fraser answering in the affirmative, but without any remark thereon, Mr. Mortimer put a second question, "I hope I did right in sending that intelligence?" *Ans.* "O yes, very right, it came in time to be laid before the privy council, and to prevent the landing of the wheat in any of the British ports." About a fortnight after this, a general alarm was spread upon the Exchange of London, about these ships, occasioned by a letter from a French merchant, that they had been hovering off the coast of France, and had been refused admittance every where, and also that the magistrates of Zealand had sent circular letters, to inform those of France, that such ships having *the plague* on board, were trying to get into some port; and commodore Moore upon this occasion received instructions concerning them, as appeared by the public papers. To make the least of the matter, the consequences might have been fatal to his majesty's subjects, if they had consumed damaged wheat, which came from such a suspected country as Africa, had been so long on board, and had suffered more still by the heat of the season, in short, this wheat was finally flung into the sea. Yet the immediate attention shewn by Mr. Mortimer to such an important event, could not procure him that approbation from Mr. Fraser, Mr. Hatton's fast friend, which he had been accustomed to receive from the office. He now therefore became convinced, that he had a dangerous enemy in Mr. Fraser; but some time after, being received by general Conway, on taking leave to return to his station, with his usual politeness and affability, and treated with great civility, by the truly celebrated David Hume, Esq; he determined to make himself easy, to pursue his duty with the same alacrity, and patiently to wait the issue,

But



But when general Conway resigned, and lord Weymouth was appointed, a circumstance happened, which gave him room to expect that he should be treated with contempt and neglect; but he did not imagine it possible, after he had got possession of such a positive proof under lord Sandwich's hand, of Mr. Hatton's promising not to molest him in his office, that any attempt would be made to remove him; he therefore resolved to endeavour to change every instance of coolness and incivility from the office, into esteem, if possible, by a diligent attention to please.

The circumstance referred to is this. On the appointment of his grace the duke of Grafton to be secretary of state for the Northern provinces, Mr. Mortimer received the following genteel letter.

*Whitehall, 12th July, 1765.*

S I R,

The king having been pleased to appoint me to be his principal secretary of state, for the Northern department, in the room of the Earl of Sandwich; I am to desire that you would for the future, address your letters to me, which I shall not fail to lay regularly before his majesty, and to transmit to you such orders and instructions, as the king shall think proper to give for your guidance and direction.

I am, Sir, your most obedient  
humble servant,

*Mr. Vice Consul Mortimer.*

GRAFTON.

A similar letter was sent to him by general Conway on his appointment; and it is remarkable, that dispatches were regularly sent to him upon all public occasions, such as births or deaths in the royal family, with the king's speech on the meeting and dissolution of parliament, &c. besides frequent instructions relative to the business of his office. But when lord Weymouth came into office, no further notice was taken of him, not so much as to notify that event, and at the time when the remarkable transaction happened, of which Mr. Wood and Mr. Fraser thought proper to avail themselves in order to carry into execution the plan that had been concerted by Mr. Fraser and Mr. Hatton for his removal, Mr. Mortimer had no information who was secretary of state, or who were the under-secretaries, but from the news-papers. In this situation of things, however, he relied on the friendship of Mr. Gordon, who to his certain knowledge was highly pleased at the revolution in administration, and he fondly hoped that what he lost in personal interest by the resignation of general Conway, he should recover through Mr. Gordon's friendship for him, and interest with lord Weymouth, and the

the duke of Grafton. The event however will prove that he was entirely mistaken in his notions and expectations, as to Mr. Gordon's friendship; for his interest never was so powerful, as with the present administration.

We now come to the last public transaction of the vice consul, which was immediately succeeded by the appointment of Mr. Irvine, conducted in so secret a manner, that till that appointment appeared in the gazette, Mr. Mortimer had not the least apprehension of such a measure. The cruelty and artfulness of which secrecy is so obvious, that it is hardly necessary to mention it. They knew that Mr. Mortimer was fully employed in a painful fatiguing point of duty, which wholly engrossed his attention, that had he been more at leisure, and had relied less upon Mr. Gordon, he might have discovered their latent designs, and by a timely application to his friends, have prevented their taking effect. They therefore sagaciously struck the blow unperceived, in an instant, and reduced a whole family to the most disagreeable circumstances, to gratify the resentment and avarice of an enriched commissary, and to settle a single man, already genteelly provided for, in a station which he had declined all thoughts of.

On the 24th of January, 1768, *Peter Horsfeman*, a native of Gibraltar, and master of a brigantine called the *St. Ann*, came into the port of Ostend under British colours, through stress of weather, being bound for Hamburgh with oranges, lemons, and Morocco skins from Messina. Mr. Mortimer being at that time at Dunkirk watching the motions of some manufacturers who were just arrived there, and particularly of one Cooke a leather currier, who was just established there with the greatest encouragement from the French government. Upon his return to Ostend the very next day, he found that this *Peter Horsfeman* had applied to the Flemish magistracy to put three of his crew in prison, on a complaint of mutiny. He immediately sent for Horsfeman, to give him an account of the cause of confining his majesty's subjects in a foreign prison, and in order to know if the case was so pressing as to require their immediate imprisonment, without waiting the return of the said vice-consul, whose office it is, to examine into all disputes between the masters of British ships and their sailors, and upon a well grounded request of the said masters, to commit the said men to prison, as also to release them, when the affair is compromised. This privilege is constantly enjoyed by all consuls in foreign ports, and is evidently calculated to prevent the magistracy of the place interfering in the little quarrels, and disturbances that happen among ships crews. The free exercise of this function of the consular office had never been de-

deried to Mr. Mortimer, and was even secured to him at his admission into office. The court of Brussels having sent down a standing order to the governor or commandant for the time being, to assist the said vice-consul with the *main forte*, a military guard, in the execution of his office. Mr. Mortimer being absent, the magistrates thought proper to confine Horseman's men, but on his return home all further proceedings with respect to them, belonged to the consular office. Not imagining he should meet with any obstruction in this part of his duty, he proceeded to question Horseman, and found upon a close scrutiny into the affair, that there was little or no ground for so capital a charge as mutiny, he therefore advised Horseman, as he had advised many other masters, to keep them in prison till he sailed, lest they should desert him, but upon his saying they had threatened his life, and were always quarrelling with his mate, the said vice-consul made the following propositions to him. If you think you can make good your charge of mutiny against them, we will apply to the magistrates to have them put in irons, and I will send them by the packet to Dover, with an express to the mayor of Dover to detain them in custody, till the good pleasure of the lords of the admiralty shall be known concerning them. But if you concur with me in opinion, that the disputes that have happened between them and the mate on board your ship, amount to no more than common quarrels, (in which you always took the mate's part) and that you imagine the duty of the ship will be neglected by continuing those men on board, I will give you a certificate of their discharge, according to act of parliament, and will pass them home by the first British ship. To the latter he consented, with which his Flemish broker who accompanied him did not seem contented. As soon as he was gone, Mr. Mortimer went to the prison to the sailors, as he had frequently done upon former occasions, to enquire if the men had any just complaint against their captain, and also to see that they were properly taken care of. The chief jailor conducted him up stairs as usual, where he found two of them in a very decent room, but the third was closely confined in a dungeon, from which he could only speak to him through a small grate. Upon enquiring of his comrades the reason of this security, Mr. Mortimer was told that the Bailli, whose office in most respects corresponds with that of our sheriff, had been in the prison the day before, accompanied by Horseman's broker, and had demanded of all the men their papers, upon which Matthew Dunnovan, who had the custody of their important writings, refused to deliver them. Whereupon the Bailli made an attempt to take them from

him by force ; but the honest tar took up a log of wood from the chimney and swore he would resist even unto death. The guard was called and the search made by force but they could not find the papers. On hearing this narrative, Mr. Mortimer asked Dunnaton, what papers they were ? Who replied, a certificate entitling me to a pension from the chest of Chatham, for a wound I received in the king's service last war, a character of myself and Charles Macarthy, for our good behaviour from our commander, and a writing signed by Horseman's mate, a papist dog who was master of a privateer open boat belonging to Calais last war, promising to forfeit one hundred pounds, if ever he took the law of us, as he threatened for a quarrel between us, when the ship lay at the Motherbank, Spithead. Mr. Mortimer then asked Dunnaton and his companions, if they would freely deliver these papers to him to be kept in his office, as a public office belonging to the king of Great Britain, to be forth coming either for or against them when before their proper judges ? To this, having given their consent, Dunnaton produced them from a check-linen belt fastened round his body under his shirt. The vice-consul then proceeded to enquire if they had any complaint against their captain ? The answer was, that he had not allowed them sufficient provision—that the ship was not in a condition to perform the voyage to Hamburgh—that the captain had sunk a vessel called the Ann of London, to cheat the insurers, and was possessed of a false Mediterranean pass, that they knowing these things, he wanted them out of the way, and had brought a criminal accusation against them in this popish country where he and his mate would be believed, and they should be broke upon the wheel, unless the said vice-consul interfered, for the Bailli and the jailor had informed them they would be executed on the friday fortnight following ; and indeed to say the truth, the whole town seemed to thirst for their blood. Mr. Mortimer lost no time, but immediately went to the assembly of the magistrates then sitting, and complained of this treatment of the poor men, insisting that their crime, if they were guilty of any, was cognizable only by the officers of the supreme court of Admiralty of Great Britain, and intimated to the magistrates that he expected they should be given up to his disposal. To which the pensioner, who is the queen's attorney-general, answered in the name of the magistrates, that Horseman had brought a criminal accusation before them for a capital crime, which they would oblige him to prosecute according to their laws. And further declared, that the said vice-consul should not interfere in it. And in the afternoon of the same day, a deputation of the said magistrates at

attended by their under officers, and the bailli's servants, one of which was the common hangman of the place, came to the vice-consul's house, and demanding to speak with him, read him a formal arrest in the empress queen's name of the papers in his hands belonging to the three men in prison, with an order to transport them to the recorder's office of the city and port of Ostend in twenty four hours, which Mr. Mortimer on the spot peremptorily refused, and told the chief magistrate that if any further personal insult was intended him, before he could have the opinion of the king of Great Britain's minister at Brussels on these proceedings, he would quit her majesty's dominions instantly and retire to Dunkirk. On assurance that no further incivility would be offered, Mr. Mortimer staid in his house, and dispatched a courier to Mr. Gordon, with an account of their proceedings. For answer Mr. Gordon sent the following letter.

*Bruxelles, Sunday 31st of Jan. 1768.*

Dear Sir,

Immediately upon the receipt of your letter, I had a long conversation with Comte Cobenzl, but as we could not by any means agree, and as your letter contains things of infinite consequence, it is now high time for me, after the repeated complaints that you have sent me, to take up the affair ministerially, for I find I never shall be able to obtain any thing amicably. You will therefore immediately upon the receipt of this, transmit to me a memorial in form, stating the whole as clear and distinctly as you can, which memorial I will immediately lay before his royal highness, and will support it with a very strong one, by which means I hope we shall be able to know what are their reasons for acting in this despotic manner; and as soon as I have their answer, I will immediately transmit the whole affair home.—Enclosed I transmit you all the papers you sent me—with regard to the military prison, Comte Cobenzl assured me that it was totally impossible for him to grant you your request—I have only time to beg that you will not lose a moment's time in sending me a proper memorial;

It will be much better that your memorial should be in French, than in English.

Believe me to be yours, very sincerely,

W. GORDON.

On the back of this came another letter so notoriously founded on Comte Cobenzl's the queen's minister's opinion, that for the honour of Mr. Gordon it is suppressed. In the mean time the magistrates continued assembling night and day, examining Horseman, (who now seemed determined to take away his

mens lives) and the rest of the crew : and the said vice-consul continued remonstrating against their conduct, and counter-examining the crew on oath, because the magistrates positively refused him admittance during their examination of evidences who were British subjects, in a cause wherein the lives of British subjects were at stake, though it was ever before deemed an inviolable privilege that the British consul should be present, and act as advocate or council for the accused parties. By this time Mr. Mortimer had obtained sufficient proof from the registry of the admiralty court at Dunkirk—that the *St. Ann*, the brigantine *Horseman* now sailed in, was bought at that port in January, 1767. Whereas the Mediterranean pass from our admiralty, which the said vice-consul had got from *Horseman*, was made out at Gibraltar by general Irwine for a schooner called the *Ann of London*, of a different constructure from this brigantine which was known at Dunkirk by the name of *la princesse de Ligne*. Having detected this fraud, and finding himself left to contend with the magistrates of Ostend without any proper or positive instructions from Mr. Gordon, and in a total ignorance who were the officers of state in the northern department at home ; he thought it his duty to send this account of *Horseman's* pass to the Admiralty with a state of the case, and to desire instructions upon it. Accordingly, the Admiralty honoured him with the subjoined papers.

*Admiralty Office, 16 Feb. 1768.*

S I R,

I received and read to my lords commissioners of the Admiralty, your letters of the 3d and 6th of this month, relative to the misbehaviour of Peter *Horseman*, master of the *St. Ann* Brigantine, in relation to a Mediterranean pass, and an unjust prosecution of three of the crew belonging to the said Brigantine, for offences alledged to have been committed at Spithead ; and I having by their lordships command sent the said letters to Mr. Seddon, their lordships solicitor, for him to consider the contents thereof, and report what may be proper to be done therein ; and he having in answer thereto by letter of the 12th instant (copy of which comes herewith) advised, that the bond given for the Mediterranean pass should be put in suit for non-performance of the conditions thereof, and that his majesty's principal secretaries of state should be acquainted with the circumstances of the case of the three men in custody at Ostend, that application may be made to the imperial minister to stop all further proceedings against them. I am commanded by my lords commissioners of the Admiralty, to desire you will please to return to me the pass  
y ou

you took from Horseman, that the bond he gave for the same may be put in suit; and I am also to acquaint you that the whole of this affair is sent to lord Weymouth, his majesty's principal secretary of state, for his majesty's information.

I herewith return you a copy of your letter of the 3d instant, as you desire, and am

S I R,  
your most humble servant,  
PH. STEPHENS,

*P. S.* Your letter of the 11th instant is come to hand, and a copy of it also sent to lord Weymouth for his majesty's information.

I also herewith send you an extract of so much of his majesty's order in council relating to Mediterranean passes as concerns consuls in foreign ports, but as to other instructions, you will please to apply to the secretary of state for them.

*Tho. Mortimer, Esq;—Vice-Consul at Ostend.*

*Piccadilly, 12th Feb. 1768.*

S I R,

In obedience to the directions of my lords commissioners of the Admiralty, signified to me in your letter of the 11th instant, inclosing two letters received from Mr. Mortimer, his majesty's vice-consul at Ostend, relative to the misbehaviour of Peter Horseman, master of the St. Ann Brigantine, in relation to a Mediterranean pass, and an unjust prosecution of three of the crew, belonging to the said Brigantine, for offences alledged to have been committed at Spithead. That I should consider the contents of the said letters, and report to them what may be proper to be done thereon. I take the liberty to acquaint you, for their lordships information, that I have accordingly perused and considered the said Mr. Mortimer's letters, whereby it is stated, that the said Peter Horseman went with the said vessel, called the St. Ann, into the port of Ostend, the 24th of January last, by Relâche, being bound for Hamburgh; that Mr. Mortimer on receiving from him his Mediterranean pass, found it was made out, by order of General Irwine, of Gibraltar, for the schooner, called the Ann of London, burthen sixty tons, navigated with seven men, five his majesty's subjects, foreign built, made free, and bound to England, bearing date the 24th of April, 1766. And further stating that it has been reported to Mr. Mortimer, that the said Ann

Ann Schooner of London, was lost in her passage home; and that the mate, or seamen made oath, that the said Peter Horseman sunk her wilfully, to defraud the insurers; and also that it is certain, that the said Peter Horseman fled to Dunkirk, and bought there of one Mr. John Bodin, the Brigantine he now commands, which was called *La Princesse de Ligne*, burthen about seventy tons, as appears by the bill of sale dated at Dunkirk, January 17th, 1767, and called her the *St. Ann of Gibraltar*, as also appears by the clearance or passport of the Admiralty of Dunkirk, dated 13th June, 1767.

That the said Peter Horseman sailed with the said Brigantine, in the month of June last, from Dunkirk for Genoa, and got Mr. Holford, his majesty's consul at Genoa, to indorse his Mediterranean pass, made out for the Ann schooner of London, that he had sunk: For which and other reasons therein stated, Mr. Mortimer has detained the said pass: And Mr. Mortimer further states in his said letters, that the said Peter Horseman, has put three of his men in prison, for having mutinied, as he says, at Spithead, and that the Flemish magistracy, have proceeded with great heat against them every day since the 29th of January last, citing and adjourning the rest of the crew, and taking their examinations privately.

From which narrative I beg leave to observe, first, with respect to the Mediterranean pass therein mentioned: That though the said Peter Horseman imposed upon Mr. Holford when he procured him to indorse this pass, yet, as it was a real pass, and not forged, altered or erased, I am humbly of opinion, that the said Peter Horseman is not guilty of felony within the meaning of the statute of 4th Geo. 2d. Cap. 18. But if the said Peter Horseman could be brought to England, (I humbly apprehend) he might be prosecuted for a capital crime, in wilfully sinking the Schooner, for which the pass was originally granted; otherwise I do not apprehend any thing can be done against him, except putting the bond (which was given on his obtaining the said pass) in suit, for non-performance of the conditions thereof.

As to the pass itself, which is now detained by Mr. Mortimer, he may very justifiably, under their lordships directions, refuse to deliver it, either to the Flemish magistrates, or to the said Peter Horseman, or any other person.

With respect to the prosecution of the three men, in custody at Ostend, for an offence said to be committed at Spithead, and on which accusation Mr. Mortimer mentions the said mens lives to be in danger, I am humbly of opinion that



that the Flemish magistrates have no kind of legal right to take cognizance of the offence, with which the said men are charged: And I do therefore humbly submit it to their lordships consideration, whether they will be pleased to direct the whole circumstances of this case to be laid before one of his majesty's principal secretaries of state, to the end (if he thinks proper) that an application may be made to the Imperial minister, to take all proper and immediate steps, for prohibiting the Flemish magistrates further proceeding against the said men, and for their being released from their present confinement.

Herewith you receive the letters and papers you were pleased to send me.

I am, S I R,

your most humble

and most obedient servant,

SAMUEL SEDDON.

(A Copy)

*Philip Stephens, Esq;*

Encouraged by the receipt of these letters, Mr. Mortimer now proceeded to draw up more spirited memorials, and to support his own opinion, which he had maintained in opposition to that of Mr. Gordon, "that the magistrates had no right to the papers given to him by the prisoners, much less to the Mediterranean pass, which they wanted Mr. Mortimer to give up to them, that they might restore it to Horseman, and which measure Mr. Gordon also advised."

Lord Weymouth, by this time alarmed at the ground the vice-consul had gained, and fully apprized that he might be charged with neglect, thought proper to write to Mr. Gordon to support Mr. Mortimer, and from this time the tenour of Mr. Gordon's letters changed, and he approved every thing the vice-consul had done or proposed to do. But the poor men remained still in prison, and Horseman was grown so refractory that he refused to obey the minutest orders of the vice-consul; and upon occasion of the said vice-consul's visiting his ship accompanied by three English captains, and a ship carpenter, in order to declare if she was in a condition to go the voyage, he refused to be on board, or to answer any question. The severity of the season, joined to the fatigue of mind and body which the vice-consul suffered in this contest with Horseman, laid him up, an abscess formed itself in his side, and he was five weeks in the hands of the surgeon major of the garrison, in the utmost danger of his life, at the end of which time he was scarce recovered, when he received a letter informing him of his dismissal, by the appointment of Mr. Irvine to be consul, who was on his journey and intended to reside.

Mr.

Mr. Mortimer had dismissed the remainder of the English subjects from the service of the Brigantine, on proper affidavits made before him—that she was *a coffin*, apparently bought with a design to sink her, and unfit to go the voyage to Hamburgh : in consequence of which three Flemish hands were put on board by recommendation of the magistrates, and before she got to the mouth of the Elbe she went to the bottom, and every soul perished.

It will now be necessary to observe, that the Danish consul assisted Mr. Mortimer with indefatigable attention during the course of this transaction, and regularly transmitted to the chamber of commerce at Copenhagen, minutes of all the proceedings—that the Danish consuls have written instructions concerning all cases of difficulty that can possibly arise in their office, under the great seal of Denmark, signed by the king—but the British consuls have not a line, nor any guarantee whatever for their measures. In the 9th article of the Danish consul's instructions, Mr. Mortimer found a confirmation of his own opinion and conduct, which is therefore inserted in this place.

*Article 9.* Et quant au cas criminels meritant punition corporelle, et qui ne seroient pas dependant du ressort de la jurisdiction du pays : tel que ceux qui pourroient s'être commis, soit à terre, soit à bord durant le cours du voyage : notre Consul trouvant l'accusé coupable, s'en emploiera aupres des puissances, ou du magistrat du lieu pour les faire mettre en prison, jusqu'à l'arrivé du premier batiment appartenant à quelques unes de nos sujets, qui seroit voile pour retourner dans nos états ; au maitre duquel batiment les dites criminels seroient consignés pour être remis entre les mains des officers de justice, au premier port de notre domination ou il aborderoit.

Horseman's charge was brought for an act of mutiny committed at the mother-bank, Spithead — on what pretext then could the magistrates of Ostend pretend to any jurisdiction over these men, and was it not Mr. Mortimer's duty to preserve the lives of such useful subjects as British mariners, for whom 6*l.* per man was offered in the gazette, to engage them to enter into the king's service last war?

To this clear proof in support of the vice-consul's conduct it may not be improper to add Mr. Gordon's two last letters on the subject, in lieu of the memorials.\*

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\* Authentic copies of the memorials in the French language drawn up and transmitted by Mr. Mortimer to Mr. Gordon at his request and by him presented to the court of Brussels may be perused by any gentleman on giving a day's notice to the printer of the Political Register.

Bruxelles,

Bruxelles, 22 Feb. 1768.

My dear sir,

Since the delivery of my answer to their memorial I have not heard a word from this government; in a discourse I had with C. Cobenzl he told me that I should soon have an answer, but I own I have my doubts—you will oblige me if you would let me know if all is quiet now at Ostend, or if you think the magistrates of that place are furnishing materials for a memorial; let me only intreat it of you to keep your temper, and be assured that you will not only meet with support here, but likewise at home—I have received orders in consequence, but my dispatch I cannot risque by the post, for many reasons.

Thank God the carnival is now at an end—last night a courier arrived here with the news that the grand duchess of Tuscany was on the 12th instant brought to bed of a prince.

Believe me to be yours sincerely,

W. GORDON.

Bruxelles, 14 March, 1768.

Dear Sir,

Inclosed I send you a copy of a memorial which was presented to me yesterday relative to the late disputes you have had with the magistrates of Ostend.—After the open and candid manner in which I have acted with this government since the commencement of this disagreeable dispute, I was in hopes that they would have let the affair drop, but I am deceived, and I find they chuse to continue the dispute, I therefore transmit the memorial to you, and desire that you will, as soon as you conveniently can, send me up your thoughts upon it by way of answer as you did upon the last. Horseman's conduct appears to me most unaccountable, as indeed so does the magistrates conduct with regard to the sailors now in prison, this affair I think would come in properly enough in our answer—as you are now in possession of my memorial, you will be able to judge by the inclosed how far they have answered it, indeed after the long time they took to make their reply, I should have imagined that they would have produced a much more able production.

Believe me to be, my dear sir, your's sincerely,

W. GORDON.

Besides the approbation hinted at in these letters, the vice-consul received the following intimation from a friend at Brussels who was anxious for the event of this affair. "I din-

ed yesterday tête à tête with Mr. Gordon, and said so much about your affair, that I was shewn a letter from lord Weymouth the secretary of state, in which, *he says how much right is on your side* and requires your support of Mr. Gordon, but withal directs him to act with that moderation as may preserve count Cobenzl's friendship (we ought to be sure to preserve the friendship of the most grateful queen of Hungary, and sacrifice our own commercial officers to complaisance to her minister)—and condemns very strongly your warmth and petulance expressed in your letters to Mr. Gordon, against which he is cautioned to act so as to give no offence—March 10th. On monday Mr. Gordon had a long letter from Lord Weymouth, and he read it to me, in that letter was every justification you can wish of your conduct, but orders to do every thing in support of it with the greatest politeness to the queen's minister, however such is the tenour of it, I think it is a complete victory in you."—March 17th. The fruits of this victory were the dismissal of Mr. Mortimer on the 30th of the same month. For which Lord Weymouth is here called upon to give such a fair account as is due to an injured man, whose fortune is blasted, and whose private circumstances are hurt by this step.

Mr. Mortimer left Ostend on the 5th of April following, with a view of soliciting some other employment under the government, through the representations of his friends; and on his arrival he immediately waited on lord Weymouth, and repeatedly left his name and address, both at his house and at his office, but his lordship never thought proper to grant him an interview; after some time, however, Mr. Wood sent for him; as Mr. Mortimer had mentioned his case to some persons of rank, particularly to Charles Jenkinson, Esq; one of the lords of the treasury, who was well acquainted with the nature of his services in the time of Mr. Grenville, he did not doubt but their interest and friendship had prevailed and procured him some new appointment. With the greatest alacrity, therefore, he attended Mr. Wood for the first time he had the happiness of knowing that gentleman. But what was his surprize, when he found Mr. Wood had only sent for him to reprimand him in a surly, ungenteel manner, for his conduct in the affair of Peter Horseman; and to acquaint him, that lord Weymouth and himself considered him only as Hatton's deputy, and consequently that he could not have any claim upon that office. On Mr. Mortimer's remonstrating, with all possible humility, on the hardship of his case, Mr. Wood told him, he had something to mention to him, but it should never go farther than that office; he then proceeded as follows,

follows, "How came you to write in one of your letters to Gordon, that you had the approbation of the admiralty with respect to the affair of Horseman?—I suppose you recollect it, or shall I shew you the copy Gordon transmitted to the office?" Mr. Mortimer replied, that he possibly might have written to that purport, as he looked upon Mr. Seddon the solicitor's letter to the lords of the admiralty, a copy of which was sent by their order to him, to be in fact an approbation of his conduct, but hoped the dropping such an expression in a private letter to Mr. Gordon, would not be deemed a crime sufficient to cancel five years faithful services, often performed at the peril of his life, for had the smugglers on the Flemish coast discovered him to have been the occasion of the frequent seizures made in 1764 and 1765, they might have destroyed him as he travelled between Ostend and Dunkirk, along a dismal strand, for intelligence. Mr. Wood observed that he was sorry for him, but that it was very unhappy for him in his present circumstances to have offended Lord Weymouth, whom, by his application to the admiralty, he had made appear to be negligent, and he could take upon him to say there never was a more diligent man in business.\* In fine, upon every remark made by Mr. Mortimer in his justification Mr. Wood only repeated this emphatical argument, *It will not hold water, indeed, it will not hold water.* It must not be forgot however that he further blamed Mr. Mortimer for the warmth of his expressions to the magistracy of Ostend, which was exaggerated by them in their representations to the court of Brussels, and added, that the King was very angry at his long memorials to the court of Brussels, transmitted by him to Mr. Gordon, who sent copies of them to the office. Mr. Mortimer is very sorry his zeal was intemperate, but he had the lives of brave English seamen to protect, one of whom since their enlargement (for the magistracy of Ostend was obliged to discharge them) has been with him in London to thank him for having saved their lives; and further informed

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\* The affair of the mediterranean pass, naturally engaged Mr. Mortimer to lay the case before the lords of the admiralty, and the pique was, that lord Weymouth was robbed of the merit of having supported the cause of the sailors, by the prior opinion of the admiralty; but he alone is to blame, for no answer could Mr. Mortimer obtain to the first letter he wrote desiring instructions in the affair, which he directed to Mr Fraser, not knowing who was acting under-secretary to lord Weymouth, as they did not vouchsafe to notify it to him, nor to correspond with him on the king's business,

him, that Mr. Irvine was so candid, as to order him to wait on Mr. Mortimer to return him thanks. Mr. Wood having declared to some of Mr. Mortimer's friends, that it was impossible for him to do business in Flanders after his unhappy dispute with the court of Brussels, and Mr. Irvine having supported this assertion on his arrival at Ostend, by informing the British subjects, "that the Flemish government would not suffer Mr. Mortimer to stay any longer in the country," he judged it expedient to write to his excellency Comte Cobenzl, who constantly shewed him marks of his esteem as a private gentleman, and this great minister, whose abilities are perhaps superior as a statesman to any one man in Europe, immediately sent him an answer—his letter containing other matter, it will be sufficient to give the extract relative to that subject;

—Je suis fâché monsieur, que vous aiez cru pouvoir pretendre comme vice-consul, des droits, que le gouvernement ne pourroit pas admettre, mais je n'ai point insisté sur votre rappel, comme vous paroissez le croire: quoiqu'il en soit, je ne suis pas moins sincerement, &c.

Bruxelles le 1 Maii, 1768.

*le C Cobenzl.*

*A Monsieur,*

*Monsieur Mortimer ci devant vice-consul  
pour sa Majesté Britannique à Ostende, &c.  
à Londres.*

Thus terminated the connection between Mr. Mortimer and the under-secretaries of state, and though repeated applications have been since made by his friends, in the course of fifteen months, to procure some redress for the injury he has sustained, hitherto every attempt of that sort has proved ineffectual; but thanks to the generous encouragement given by the public to literary productions, he has been enabled to surmount every inconvenience to which "the insolence of office" had exposed him, and being now an independent Englishman, he hopes to preserve that character, and his zeal for the true interest of his country inviolate, to the last hour of his existence.

TO the EDITOR of the POLITICAL REGISTER.

*A short Sermon on the divine Foundations of Liberty, civil and religious.*

S I R,

**A**S you have given a place, in your valuable Register, to a former sermon, I beg the same indulgence for another discourse

discourse upon an apostolical canon.—*Honour all men, Love the brotherhood. Fear God. Honour the king.*—My business shall be to attempt the genuine sense and meaning of this canon.

And first, by *honouring all men*, cannot intend all men collectively; because a great part of mankind, are, by their vices, the objects of contempt; the Greek *πᾶσι* should therefore rather intend, the great publick, and will be the same with that public spiritedness or love of our country, the weal and prosperity of which is the first object of our esteem, considered as social creatures. We are to do our utmost, expressing a first care to secure our constitutional rights, privileges, and immunities, from the hands of violence and arbitrary will; and in the defence of these sacred things, our lives and fortunes should not be accounted too costly a sacrifice.

Secondly, *Love the brotherhood.* Now I would observe, that with brethren, among whom love is reciprocal one towards another, there is no superiority and inferiority found; no pre-eminence supposable. But the aspirants after power, the assuming spirits that would give law to conscience, have been the scandal and reproach of the Christian profession in all ages of the church; and have occasioned all the animosities, contentions, and divisions which have disgraced that profession. The very words, *church, faith, orthodoxy*, have been made to serve the base purposes of the haughty, enslaving priest; and to assist the civil magistrate in supporting a civil tyranny. Secular, exclusive advantages annexed to a civil church-establishment, have, by the pomp and parade of a dignified canonical priesthood, blinded the eyes of the people; and from its dazzling splendor and magnificence they have concluded upon its being the only true religion: and hence the *dissidents* who have avowed the rights of conscience, and stood fast in that liberty wherewith Christ has made his disciples free, having neither most reverend, nor right reverend fathers of God among them, nor any masters, but being all brethren, are branded with the name of schismatics and fanatics.—Whereas the right of private judgement held sacred, is the only possible way of *holding the unity of the spirit in the bond of peace*. Love of the brotherhood is not attainable on any other principle, than that of an equal claim to the rights of private judgment, in all matters of faith and worship—*one is your master, even Christ, and all ye are brethren.*

Thirdly, *Fear God.* Reverence the God. (τοῦ Θεοῦ) There being but one object of religious worship, to which we give all the heart and soul. We may call no man father, father in God, right reverend, or most reverend father in God.

*Call*

*Call no man your father on earth; for one is your father, who is in heaven.*

A fourth branch of the apostolical canon is, *honour the King*, or the Emperor, i. e. the supreme civil power. But here we must carefully distinguish between the rights of God, and those of Cæsar. We are not to allow Cæsar to exercise dominion over us as religious creatures; he has no authority to give law either to our faith, or to our worship; for whilst we *render to Cæsar the things which are Cæsar's*, we *must render to God the things which are God's*. Now God alone is the object of religious worship, therefore whatever concerns the expression of our homage to him, can no more be prescribed by any decree of Cæsar, than Cæsar can be a competent judge of the real nature and complexion of the homage which we do severally pay to our maker; so that if Cæsar does but take care that his own homage be acceptable, this is all he is able to do in the province of religion.—However, when the supreme civil magistrate approves himself a minister of God, by being *a terror to evil doers, and a praise to them who do well*, so far he is entitled to honour; and every dutiful measure should be taken in support of his government. But, on the reverse, when Cæsar violates the compact between him and the people, and departs from the design and end of government, which is to protect and defend those whom he governs, in all their just and equal rights and privileges, and to secure them from the hand of oppression; I say, when Cæsar departs from this end of government, and is determined to exercise despotic sway of the sceptre, he forfeits the allegiance of all his subjects, except those only who have agreed with him to support this tyranny.

Thus I have, in a brief manner, given what very obviously appears to be the sense of an apostolic canon.—If these ideas did but take possession of the minds of the bulk of professing christians, the rights of humanity would be far better understood, and the artful schemes of political priests and princes to enslave the people, would lose their influence and efficacy, to the vast emolument of both civil and religious society; and then we should hear no more of episcopising America.

THE PREACHER.

To the Editor of the POLITICAL REGISTER.

S I R,

IT is evident that though the terms *whig* and *tory* have almost lost their existence, yet the virulent rancour and spirit of those



those ugly words, still remain, in the same force as in the latter end of the reign of queen Anne. Every one knows that there was a strenuous effort made in those days of faction to bring in the pretender; Atterbury bishop of Rochester had entirely persuaded the queen that she was no better than an usurper, while she kept the rightful heir from his hereditary throne. She actually believed the vile insinuation, nay went so far, as to have an interview with him at a masquerade, where he appeared in the dress of a cardinal; she herself was habited like a mother-abbess—every one knew the queen, but no one knew the chevalier de St. George: for this reason they had upwards of two hours conference, without interruption; in which the preliminaries of resignation in her brother's favour (as the *tories* suggested he really was) were adjusted, and the designed operation was to have been supported by the tory party in England backed by the popish powers of Europe.—The elector of Hanover apparent heir, had his spies near the queen, who faithfully discharged their duty by frequent and repeated informations of the danger: but when the chevalier was admitted up the back stairs into the queen's closet, the elector thought it high time to enter the lists, and openly declared his design of coming to London, which alarmed the queen so much, that she openly forbade it. The treacherous ministry saw themselves and their machinations not only watched, but nearly detected. A writer of secret memoirs relative to that crisis goes perhaps too far, nor can we, as history is silent on this point, vouch for the authenticity of the relation. I have, notwithstanding, translated the passage from the French author, then (as he says) in London:—"After the death of queen Anne, it was hackneyed by cabals that her majesty had been poisoned, and that a certain great physician, then in ordinary to the queen, had been bribed to execute that *coup d'éclat*;—for on king George's accession in 1714, that identical physician, who was a Dutchman, was soon after knighted, and made the new king's physician in ordinary. The king of Sweden, Charles XII. had premeditated the dethroning George, and placing the chevalier on the throne; it is well known that Charles XII. was shot as he was reconnoitring at Frederickshall; and it evidently shewed how great a Machiavel George I. proved himself to be, when, in a very short space of time, two fatal pills had been given to two princes his mortal foes.—Sanguinary measures (continues the writer) are looked upon in the cabinets of princes, as no more than a species of phlebotomy useful to the state when a dangerous plethora approaches

“ proaches, and of two evils, the less malignant is most  
 “ eligible ; — the first, *probatum est*, was executed while  
 “ George was at Hanover, which put an end to the tory  
 “ designs ; and the last, was administered when he was  
 “ at London : the former to save the nation from a *popish*  
 “ *successor*, the queen’s *reputed brother* ; the latter to save him  
 “ and his crown from the almost invincible arms of the  
 “ *King of Sweden* ; — nor is it a wonder that George, who had  
 “ the resolution to have Count Conningsmark cut to pieces at  
 “ the palace of Herenhauseu, and to immure his own consort  
 “ for life, should afterwards to establish his undoubted  
 “ right to the throne, pursue such measures for more  
 “ potent reasons of state, — the former was of a private na-  
 “ ture, in which his consort was really innocent ; he was  
 “ abused by the intrigues of a woman he loved better, the  
 “ dutchess of Munster, who, after the manner of *Iago*,  
 “ had brought him ——— *where he should find the Count*  
 “ *soliciting his wife*, — though the solicitation was, like that  
 “ of *Cassio*, to reinstate the count in his favour, and this ex-  
 “ ecution on Coningsmark was looked upon by some  
 “ as a just judgement for the murder of Mr. *Thynne* by the  
 “ Count. — And the same rigid justice appeared on his  
 “ accession to the English throne, for he told his ministers,  
 “ that he did not understand their language, nor much of  
 “ their laws, but, that if they brought him any warrant,  
 “ writ, or power to be signed by him, which was repugnant  
 “ to the known laws or statutes of the realms, he would —  
 “ and then he made the sign of amputation by drawing his  
 “ right hand across his throat. — And from his integrity and  
 “ resolution during his reign, he was surnamed, as he in fact  
 “ merited, GEORGE the JUST.” Thus far the French me-  
 morialist.

To return. — I have often remarked, Mr. Editor, that there  
 is a more substantial difference between one *whig* and another  
 and between *tory* and *tory*, than between a *whig* and a *tory*. In  
 Scotland, *toryism* and *Jacobitism* were always the same. And, con-  
 sequently, a *Scotch tory* differs very essentially from an *English*  
 one, who is generally a well-wisher to the protestant succes-  
 sion ; for we cannot, with any propriety, call an *English Ja-*  
*cobite*, a *tory*. There is also an essential difference between an  
*English* and a *Scotch Jacobite*, if we suppose them analyzed  
 from *whiggism* and *toryism* in general ; the same observation  
 is applicable to the *Irish*, and from thence we may safely con-  
 clude, that the causes on which those differences were found-  
 ed, have no longer existence, and that they were, in them-  
 selves, not only unjust, but absurd. — The Jacobite party in  
 Scotland

Scotland took its origin and (till its late abolition) its continuation from the clergy who were established there at the late revolution.—If King William durst have followed the dictates of his own policy he would have continued them; but he found this to be incompatible, not only with his interest, but his safety; and the presbyterian worship being established, all the Scotch bishops and clergy were turned out of their livings to make room for the presbytery.—They, being thus discarded, could no otherwise maintain their authority over their adherents than by preaching up the hereditary right of those for whom they suffered, which they did, with such success, as rendered the union of the two crowns an indispensable measure, for they more than once endangered the protestant succession, and at last produced the rebellion of 1715, and that of 1745.—From the time of suppressing the former to the breaking out of the latter, the same set of men, or their successors, invariably propagated the same doctrines, which produced the same effect, a fresh rebellion; notwithstanding the footing which the principles of liberty had obtained in that country, during the intermediate space of time, viz. thirty years. This accounts for the prevailing growth of Scotch *Jacobites*, and the extreme dearth of Scotch *tories*, whose grand characteristic is a reverence for the church of England. At the time of the revolution the bulk of the English clergy of all denominations kept their livings, and only a few, under pretence of conscience, lost, or rather resigned them; and those few were very inconsiderable, both as to their temporal interests, or natural abilities; they being the poorest and the least literate of any; for those who were rich dispensed with their consciences to preserve their interests; and those who had real knowledge had too much sense to part with realities for shadows, or lose their fortunes for a mere character with their party; which may, in this point, account for the very small number of *nonjurors* that have openly declared themselves from the revolution to this time.—I do not mean *Jacobite* by the word *nonjuror*, for though every protestant *nonjuror* (if any such there can be) is a *Jacobite*, yet very few *Jacobites* are *nonjurors*.

An English *Jacobite* is a *tory*, heated with noise and nonsense, without either meaning or principle, but quickly cool on the very first, or near approach of danger to his person or expence to his finances; but the Scotch *Jacobite*, tho' equally absurd and ridiculous, is more steady, resolute, and inflexible; inflexible through obstinacy and self-will, through national pride or family perverseness.—The links of this chain were however happily broke on the dissolution of the

hereditary jurisdiction over the clans, and when vassalage evaporated, Scotch *Jacobitism* in the same period went off in *smoke*. Hence it follows that the root of danger to England, lay in the *outed* clergy at the time of the revolution, who, as well as their followers, engrafted *politics* on *religion*, and made allegiance to the abdicated family, the test, purport and criterion of salvation; but some wise precautions of government, together with the laudable spirit of liberty which took life from those precautions, have nearly annihilated that set of clergy, so that in a few years more, our posterity must have recourse to a dictionary to find out what the word *Jacobite* can possibly mean.

Now a Scotch *whig* was always a revolutionist in appearance; but the support of the presbyterian religion was primarily and substantially the capital article of his *political faith*; and for this essential reason because there was no alternative between a *Jacobite* and a *presbyterian* in Scotland.

An English *whig* on the contrary seldom gave himself any uneasiness about religious punctilios, provided that the act of settlement was safe and secure, and the power of France reduced; and this lukewarm indifference gave the tories a handle to represent such a person to the common people, as an atheist, or at best a deist.—The Scotch *whigs* or *presbyterians* (for they are both the same in principle) did indeed suffer a causeless persecution under Charles II. and his brother James, who treated them as the original authors of their father's misfortunes; they long bore the lash, and were unwilling to be reduced to submit to the English government. Time and policy however melted down their pique, and the Scotch presbyterians have for many years behaved as a moderate set of men towards their opponents: now an Irish *whig* differs greatly from an English or a Scotch one; all *protestants* in Ireland are *whigs*, and the horrible massacres perpetrated upon the persons of their ancestors, have impressed them with an indelible aversion to that religion and that set of men who certainly retain the same sanguinary principles, and the reason why this antipathy has not so soon subsided among the Irish as the Scotch *whigs* is, because the professors of that religion from which they suffered so much are more numerous in Ireland than those of the protestant faith. This is a consideration that obliges the Irish protestants to be upon their guard, and to catch at, nay sometimes magnify an alarm; and hence the Irish tories or papists are to this day forbid the use of arms under severe penalties. However those severities may have been carried to extremities, and though after the flight of James from the Boyne

1690,

1690, the penal laws were necessary, yet the Irish behaved very quiet in both the rebellions of 1715 and 1745; and it is to be observed that the continuation of those severities, from the battle of the Boyne to this day, have obliged the papists to enter into the French service, which has furnished France with the best officers she can boast of, and is an eternal monument of our deficiency in political knowledge, for all the catholic powers in Europe, though they will not permit protestants to become citizens, and enjoy the privileges of denizens or burghers, yet they admit them without hesitation into the military service.

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## TO A J U R Y M A N.

S I R, *Nolumus Leges Angliæ mutari.*

**I**T is an Englishman's peculiar happiness, that as he is born to inherit his lands, so he is to inherit the laws, which are his birthright; and if he would keep the one, he must be careful to preserve the other. The laws are the palladium of property; they are the surest safeguard of our lives, and the strongest fence to our lands. All law is, or ought to be, right reason; but there ever was, and always will be, a struggle between mens reason and their passions, between law and arbitrary power. The laws of this nation, as by a compact with the crown in the Magna Charta of this kingdom appears, do indeed defend and secure the lives, liberties, and properties of the subject, as far as human prudence could devise. But the grand or principal law of this land, on which the justice of all the rest depend, is that for trying all disputes and differences between subject and subject, and all crimes against the crown, *per Pares*, or by a jury of twelve honest men, of the same rank and degree with the persons disputing or accused; who are to be elected without prejudice of party, and are bound by oath to try such dispute, difference, or crime, according to the best of their understandings, and to bring in according to their consciences an impartial verdict.

Our ancestors were indeed so justly jealous of their liberties, and so careful to arm against any unjust prosecutions of the crown, that they fixed grand juries as an advanced guard, who were, before any prosecution could be carried on, to find it *Billa vera*, that there was just cause or reason for it. But this grand barrier of British liberty has been often bore down by arbitrary power, and prosecutions carried on against the subject by star-chamber informations. But though prosecutions by information are now become common, yet they are nevertheless a national grievance, and a

very great encroachment upon our laws and liberties, and should therefore teach us to be more vigilant and careful in keeping those rights which yet remain. Though trials *per Pares*, or by a jury of twelve honest men, of equal rank with the person tried, is yet left us, and is indeed the great law on which all our lives, liberties, and properties depend, yet there has been lately a doctrine inculcated that tends to destroy the very use and essence of them: That which arbitrary power cannot batter down, it may undermine.

The forms of juries, as of parliaments, have by long usage been rendered too sacred to be attacked; but what does the form of any thing avail without the use? As hypocrisy in religion is a great affront and mockery of God, so good forms kept up in any state, are, when turned to bad uses, a gross affront and mockery of the people.

It has lately been by some confidently asserted, that juries are not judges of law, but of fact only: What can be more false? What more injurious to the subject? Or, what can tend more to overturn all our laws and liberties? For if this pernicious doctrine should be allowed, juries would be so far from being a security to the subject, that they would be then a snare; and that which our ancestors intended as a bulwark to defend our lives and properties, would become a strong engine to batter them down; because any person might then be prosecuted for the most innocent action; nay, indeed, for acting according to any law of the land, which arbitrary power did not like, and found guilty, and punished at the pleasure of the court; for they need only to charge such action in the information to be seditious, traitorous, &c. and then to prove the fact, and the jury must of course bring him in guilty, if they are not judges of law, but of fact only. But this wicked doctrine, that tends to subvert all our laws and liberties, is not more contrary to reason than practice: For do not juries, upon all indictments for murder, take upon themselves to judge whether the prisoner be guilty of murder or manslaughter, and find accordingly? When a person is prosecuted upon any statute, is not such statute usually read to the jurors? For what reason? But because they should judge whether the matter of the person accused be within such statute or not. Are they not then judges of law as well as fact? Is not the juror's oath, *That he will well and truly try, and true Deliverance make*, that is, that they will fully, truly and impartially try the prisoner, whether he be guilty of the crime laid to his charge or not, and according to their consciences either acquit or condemn him? In their oath there is nothing of this new, unjust, and dangerous distinction between matter of law and matter of fact, but they are sworn

sworn to try the prisoner impartially, and, according to the best of their understandings, to bring him in guilty or not guilty. The first part of a jury's consideration is indeed, whether the matter laid to the charge of the prisoner be a crime or not; the second, whether or no he committed it. If the matter laid to the charge of the prisoner be not itself a crime, how can any jury, without breaking their oaths, bring him in guilty of the fact? Is it not the greatest absurdity to say, that a man is guilty of an innocent action? Can innocence be guilt? Whenever a jury bring in the prisoner guilty of the fact, yet not being convinced in their consciences of the crime of it, leave that to the court, it is commonly called a special verdict; but the proper appellation is indeed, Special Perjury, because they do not, according to their oaths, *well and truly try, and true Deliverance make*: For when a jury are not convinced in their consciences, that both the matter laid against the prisoner be such a crime as is mentioned in the indictment, and that he also committed it, they are bound by their oaths to bring him in Not guilty.

Juries should indeed always consider by what method the prisoner before them stands accused; if he does not stand there according to the common legal manner by a presentment of a grand jury, but by information, they may then very reasonably suspect, that the prisoner's crime is not such as it is called; because prosecutions by information are seldom brought, but when no grand jury will find the bill; and therefore they should in such cases always supply the place of a grand jury, by taking upon themselves to determine the nature of the crime, and not by an iniquitous special verdict cast the prisoner, as it were, into the power of his prosecutor. Juries are bound to see with their own eyes, and not through the optics of the bench; nor are their consciences to be controuled by the court.

There are cases indeed relating to property, that often happen between subject and subject, which are more intricate, and require nice distinctions; here the judges must help the jury to distinguish: But in all criminal cases, between the crown and subject, the crime of the fact, as well as the fact itself, should always be fully and clearly proved to the satisfaction of the consciences of the jury, or otherwise they cannot, without perjury, but bring in the prisoner Not Guilty.

Lawyers often puzzle themselves, and perplex others, with nice and subtle distinctions about the true meaning of words; and I think they have differed in opinion in no one more, than in the word *libel*. Some lawyers will say, That a libel may be either true or false; and that its truth makes it

it rather more a libel, than if it was false: But who was ever yet prosecuted for writing or publishing a libel that was true? I believe no person was ever yet prosecuted for a libel, where the word *false* was not expressly mentioned in the indictment; therefore it appears plain to me, that falsehood must be joined to defamation, to make a libel.

That great lawyer, my lord chief justice HOLT, says; *That whoever asserts things in writing, must also, at his peril, prove them to be true.*

If what a man has wrote or published be *truth*, with what conscience can a jury bring him in guilty of writing or publishing a *false* libel? It is surely contrary to right reason, and therefore should be so to law too, to charge a person with publishing a libel that is false, and yet refuse him the liberty of proving it to be true; such refusal cannot but be, to every honest man's conscience, the strongest evidence of its truth. Can right reason call truth a crime? if not, I hope the laws of England never will. Miserable indeed must be the state of that people, where writing truth against a man, is accounted a crime; but writing falsehood against God, none. Yet I own I discommend, nay, highly blame, the writing of even truth itself, if defamatory, when it concerns only private persons: But if the rights or liberties of the publick are any ways interested, truth, and all the truth, however defamatory, ought always to be told; for otherwise, how could the publick ever oppose any oppression at all? As, suppose a man was, by arbitrary power, illegally imprisoned, and denied the common relief of the law; in such cases, would not the publick be highly concerned therein? For, might not the same hard treatment be every man's case? Should not therefore such man publickly complain thereof, and make his true case known to others, that they might take proper measures to prevent its being their own?

To make a libel of any writing, the words of it should not have a forced meaning by innuendoes, drawn from an orator's fertile brains, put upon them; but the sense of them should be plain, clear and obvious to every one; for otherwise, so great is the lawyer's art, that he would withdraw treason from the most sacred truth, and make a libel of the lord's prayer: As for instance, in these words, 'For thine is the kingdom;' Oh, says Mr. Attorney, that is a treasonable expression; for, by innuendo, it is saying the king hath no right to the crown. There are, indeed, no words which lawyers cannot, by forced constructions, torture into treason; jurymen may therefore well smile, when they see those learned and eloquent gentlemen take such pains to persuade them, that



that such words carry a very different sense from what their own reason plainly tells them.

Publick grievances can never be redressed but by publick complaints; and they cannot well be made without the press: Now, if publick oppressions cannot possibly be removed without publick complaining; and, if such complaints, though ever so just and true, should be deemed libels against those who cause them, would not the rights and liberties of the publick be in a fine situation? Our laws would be then delusions, our rights but shadows, and our liberties a dream. To secure the lives, liberties and properties of the subject from all such oppressions, is the sole end or intention of juries; and while they act according to their oaths, they will be a sufficient guard against them.

There is a noble instance of the firmness and integrity of a jury, lately published in the case of John Peter Zenger, Printer, at New York; who was prosecuted, by information, for publishing a false libel against the governor. Mr. Hamilton, the prisoner's council, justly and bravely owned his client's publishing it, but insisted it was not *false*, and would have produced witnesses to have proved its truth, but was denied by the court. In this cause every artifice of arbitrary power was used; and the judges plainly shewed, that they sat there only during the governor's pleasure: Yet, notwithstanding all the partial influence of power, and base direction of the bench, the jury, to their immortal honour, acquitted the prisoner, by bringing in their verdict, *Not Guilty*.

Since which we have had at home, at the trial of Mr. Owen, for publishing the case of Mr. Murray, a more glorious instance of the wisdom and conscientious firmness of a jury; for though the prosecution was carried on against him at the desire of the honourable house of commons, yet such was the invincible integrity of those brave gentlemen on the jury, that, to the inexpressible satisfaction of all honest men, and true lovers of their country, and to their own eternal honour, they acquitted him, by bringing in their verdict, *Not Guilty*.

When juries thus act according to their consciences, and bravely resist the illegal attempts of arbitrary power, they not only secure the lives and properties of their fellow subjects, but transmit their names and virtues to posterity, in the shining records of eternal fame. The conscience of a jury is the supreme law, the law of right reason; over which no rhetorick from the bar, no direction from the bench, should ever have the least sway or influence. The hearts of honest men are the temples of truth, which no interest can corrupt,

corrupt, no power or persuasion change: They will stand, like a rock, firm and immoveable, against all the waves of corruption, or winds of arbitrary power.

I am, Sir, your humble servant,  
BRITANNICUS.

*A short Narrative of a few interesting Facts relating to Corsica.*

A Few months after the Earl of Bute's Peace, a proclamation was issued from St. James's, forbidding all British subjects from corresponding with, or giving any kind of aid to the Corsicans; who, in this proclamation were repeatedly styled *rebels*. This proclamation was published in the London Gazette.

In 1767, the French king bought of Genoa the claim of that republic in the island of Corsica. It was a bargain much beneath the affected honour of France to buy the Genoese title to Corsica, which was disputed by the inhabitants.

In 1768, the French invaded Corsica with a considerable army. This extraordinary step occasioned a memorial to be delivered to the British court from the king of Sardinia, representing the danger to Great Britain, as well as to himself, that would arise "*from suffering France to acquire the empire of the Mediterranean.*" These words are in the memorial.

At this time a dispute arose among the English ministry, about appointing a minister at the court of Turin, (in the room of George Pitt, Esq; who had resigned at the time of the general election in expectation of a peerage.) The friends of Lord Chatham and Lord Shelburne, were for Lord Tankerville. The friends of the d. of B——d and all that party were for Mr. Lynch. The latter was appointed. This was not the only opposition that was made to the earl of Chatham's friends by the present ministry. Frequent differences happened in council, respecting Corsica; some adhered to the earl of Bute's system, and others were for checking the French in their operations. Agreeable to this latter opinion, the earl of Shelburne, who, at that time, was secretary of state for the Southern department, sent to the earl of Rochford, the British ambassador at Paris, extraordinary instructions on the affair of Corsica; and that ambassador presented to the French minister a strong memorial on the subject.

The French minister sent the answer to it to the French ambassador here, and he waited on the d. of G——n. His grace disavowed the whole proceedings, and expressed his strong

strong disapprobation of the measure, or to that effect. The French ambassador sent an account of these sentiments to his Court. Mean while Lord Rochford went on remonstrating. In a conversation between the French minister and our ambassador, on the subject of Corsica, the French minister told Lord Rochford, with some warmth, that he had exceeded his instructions, and produced the letter he had received from the French ambassador at London.

It was impossible Lord Rochford could remain at the French court, after such a transaction as this; and it was as impossible that Lord Shelburne should remain in office, after such an instance of controul. Lord Shelburne resigned; Lord Rochford was recalled, and appointed secretary of state. But, as if the French ministers had declared they would not correspond with his lordship, or for other reasons, he was placed in the *Northern* department, in which he could not correspond with any of the courts at which he had lately resided, and of which he must have knowledge; and Lord Weymouth was removed to the *Southern* department. Corsica is now taken, and it is to be feared added to the dominions of France.

*Account of the election of Sheriffs, and other important Transactions at Guildhall, on the 24th of June, 1769.*

ON Saturday, being Midsummer-day, came on at Guildhall the election for sheriffs and other officers for the year ensuing. Previous to the opening of the court, Samuel Vaughan, Esq; addressed himself to the livery, and strongly recommended decency in their behaviour, as the most likely, and indeed the only means, by which they could accomplish the end for which so numerous a body had assembled.

At one o'clock the lord mayor and court of aldermen came upon the hustings, when the recorder came forward, and attempted to open the business of the day, but an almost general hiss and uproar ensued, many calling out for them to consider of a petition in the first place; on which the lord mayor addressed himself to the livery, and in a very genteel speech acquainted them, that he had taken a great deal of pains to inform himself of the duty of his office on the present occasion, and that he could not find one single instance of any business being done previous to the choice of officers; at the same time assuring them, that no one had a greater regard to the liberty of the subject than himself; but strongly recommended decency and good order; declaring that he would not break up the court till such time as they had taken the opinion of the livery relative to the matter they wanted to enforce, if the livery would first proceed to do the business for which the common hall was called. This declaration was received with shouts of applause; but a gentleman expressing his dislike to the measure of delay, another clamour arose, when Mr. Bellas desired to be heard, and begged the gentlemen to proceed to business in an orderly manner, as the only means to preserve their liberty, and to free themselves from the imputation of licentiousness; observing, that as the lord mayor had promised not to break up the court till they were satisfied, it would be the height of rudeness to doubt the veracity of their chief magistrate. This speech was attended with the desired effect, and they immediately proceeded to the choice of sheriffs, when the four aldermen below the chair, and nine commoners, were severally put up; they were all received with strong marks of disapprobation, and not more than fifty hands held up for any one of them, till they came to James Townsend, Esq; and John Sawbridge, Esq; who were almost unanimously chosen, and with prodigious shouts of applause.

Several other officers were then put up for the ensuing year who are now in office, who all were rechosen, except two of the auditors, in whose room Mr. Deputy Richard Townsend and Mr. Boddington succeeded.

The lord mayor, agreeable to his promise, then came into court, and said he was ready to hear the livery's proposal; on which Mr. Lovel got up, and spoke for near a quarter of an hour on the many grievances, the liverymen, in common with their fellow citizens, laboured under. After he had finished, there was a proposal made (which was carried *una voce*) whether the petition should be then read---it was read accordingly; but my lord

mayor begged leave to make one alteration, which was this, "That instead of the humble petition of the lord mayor, aldermen, and livery of the city of London," it should run thus --- "The humble petition of the livery of the city of London."

The petition was then read a second time with this alteration, and was universally approved of.

A proposal was then made by Mr. Vaughan, that the lord mayor, the sheriffs, and the members for the city of London, should be requested to wait on his majesty with this petition, which, upon holding up of hands, was universally approved of.

During the reading of this petition, one article which complains of the two frequent call of the military, drew tears from the eyes of old Mr. Allen, who was present.

Sir Robert Ladbroke then came forward, and told the gentlemen of the livery, "that he not only assented to this proposal, but thought it his duty." Alderman Beckford being next, addressed them, "by assuring them he was ever at the service of the livery of London, that in regard to giving in the petition, it was a request that made him happy, as it agreed entirely with his own opinion, and that in regard to the particulars of the petition now read (as far as he could judge from twice hearing it) he knew most, if not all of the particulars to be facts, and concluded by referring to his conscience for the uprightness of his intentions."

Mr. Alderman Trecothick next spoke to the same effect; and said he should be happy in attending his brother members on this occasion.---The other member, Mr. Harley, was not present.

A motion was then made, and universally approved of, to return thanks to the lord mayor for his great candour and impartiality on this occasion, and it was confirmed by the loudest shouts of approbation; upon which his lordship expressed his sense of the honour done him in very polite terms, assuring them that he would, to the best of his power, finish as he had began his office, with justice and impartiality. Another motion was then made for the thanks of the livery to be returned to their three worthy members, which was unanimously voted. After which the business of the day was adjourned, which during a course of four hours, and the presence of an unexampled number of liverymen, was conducted with the greatest spirit, order, and unanimity.

#### List of Aldermen present.

Samuel Turner, Esq; Lord Mayor. Sir Robert Ladbroke, father of the city. Sir Thomas Rawlinson. Sir Richard Glyn. William Beckford, Esq; Sir William Stephenson. Sir Robert Kite. Barlow Trecothick, Esq; Brads Crosby, Esq; Richard Peers, Esq; William Nash, Esq; Thomas Hallifax, Esq; John Shakespear, Esq; Samuel Plumbe, Esq; Brackley Kennet, Esq; John Kirkman, Esq;

#### *Account of the Proceedings of the Freeholders of the County of Surry.*

THE gentlemen, clergy, and freeholders of the county of Surry, met at Epsom on Monday the 26th of June; in consequence of several public advertisements, to consider of the best constitutional measures to be taken in support of the right of election: After one o'clock the gentlemen, who were as numerous and respectable as were perhaps ever assembled on any occasion, at that place, entered the bowling-green, where, in the absence of John Thornton, Esq; the sheriff, the hon. Peter King, was chosen to preside. Mr. King then addressed the freeholders, and acquainted them, how necessary he, and many other respectable gentlemen, had thought it to call a county meeting, to consider of the best measures to be taken in support of the right of election, which he, and they, had deemed one of the most valuable privileges we were possessed of, and in consequence told them, they were now assembled to consider of such measures. Sir George Colebrooke next spoke in vindication of one of the most important rights we enjoy as freemen; shewed in clear, and approved terms, how that right had been infringed in the case of the Middlesex election, and made the following motion, which was seconded by Sir Robert Clayton, Bart. and unanimously agreed to, viz.

"That it is the opinion of this meeting, That by the law of the land, the freeholders and electors of Great Britain have an undoubted right to be represented in parliament, by any person, qualified according to law, who has a majority of legal votes; and that they have reason to apprehend these rights have been abridged in the case of the Middlesex election."

After this, Sir George Colebrooke further expatiated on the object of the present meeting, and acquainted the freeholders, that there appeared in the judgment of the gentlemen he had talked with on this occasion, but two measures to be proposed for their adoption,

tion, that seemed likely to procure redress in a case affecting the most important right of every elector of the kingdom; the one, a petition to the King; the other, instructions to be given to the county representatives. He gave his reasons why he thought the latter more parliamentary and constitutional, and concluded his speech with a motion for instructions; which being seconded, Dr. Allen, master of Dulwich college, immediately addressed the company, and shewed how ineffectual instructions were likely to prove in the present case: one of the members had already done every thing in his power to prevent a violation of our franchises, and therefore needed them not: the other, all he could to deprive us of them, who was not likely, in his present situation, to change his opinion, and therefore there could be no use in instructing him: he therefore insisted, there was no measure so proper to be taken, as to petition the King on the grievance complained of. In this opinion he was strongly supported by William Ellis, Esq; who shewed the legality of the measure in clear terms; supported it by the example of the petitions of the county of Middlesex, and livery of London; and declared, that as the constitution had given us the right, he thought it the only proper method now to be adopted.

Sir Joseph Mawbey next spoke against the motion for instructions, and insisted on their being unnecessary; and would prove ineffectual in the present case. Sir Francis Vincent, he observed, with an integrity and independency which had done him honour, had already discharged his duty in such a manner, as, he hoped, would procure him the unanimous thanks of this meeting; and Mr. Ouslow, there was reason to think, would pay no kind of attention to them in the present case: he therefore hoped a petition would be prepared to his majesty, in temperate and becoming terms, and full of that duty, love and attachment, this county has always borne to his majesty; but, at the same time, confined to one single point, and ascertaining in manly terms that right, which we consider as the foundation of all others we enjoy. Redress might be obtained, if, in consequence his majesty should either think it right to remove such of his present ministers, as have counselled and supported a measure, which has violated the first principles of the constitution; or should determine on a dissolution of the present parliament, which, he hoped, would take place, sooner than the right of election should be taken away.

After this the Rev. Mr. Horne, Claud Crespiigny, Esq; Marchant Tubb, Esq; and others, spoke with great ability, in favour of a petition, and its being immediately prepared; and that measure appearing to be the almost general sense of the company, Sir George Colebrooke declared he would no longer object, provided a petition was prepared in decent terms, and confined to the single object of the Middlesex election.

The question was, however, soon after put for instructions; when there appeared only four or five hands in favour of that measure; and then a motion was made for a petition, which was agreed to, *nemine contradicente*, and a committee appointed of the principal gentlemen of the county to prepare the same.

Sir Robert Clayton then proposed to give the thanks of the county to Sir Francis Vincent, Bart. in which he was seconded by Sir Joseph Mawbey, and they were given with the greatest unanimity and cheerfulness, in the following words:

Resolved, " That the thanks of this county be given to Sir Francis Vincent, Bart. our worthy representative, for his steady, firm, and independent conduct in parliament, and particularly for his endeavours to maintain the rights and franchises of the freeholders and other electors of England."

Immediately after this, Sir Francis Vincent returned thanks to the freeholders, in a speech, that met with the general approbation of the company; professing the integrity of his intentions, and the grateful sense he entertained of their kind acceptance of his services, and of the great honour done him.

Sir Joseph Mawbey then took notice of the surreptitious methods by which the late address was obtained, in the name of the county, without previous notice being given; and of its being signed by great numbers of unqualified persons, to the prejudice of the rights of the freeholders; and moved the two following resolutions; which were seconded by Sir Robert Clayton, and unanimously approved of.

Resolved, " That the producing an address, in the name of the freeholders of this county, without giving public notice of the measure intended, is a conduct full of contempt and disregard to the freeholders."

Resolved, " That the late address, in the name of the county of Surry, was surreptitiously, and unfairly obtained; and, having been signed by many unqualified persons, was, and is, an insult on the freeholders, and an infringement of their rights."

The company then adjourned till after dinner, and the committee withdrew to the adjoining coffee-house, to prepare the petition.

Before six o'clock in the evening, the petition, which had been prepared by twenty-three gentlemen of the first rank and fortune in the county, was engrossed, and read twice, by the

Mon. Mr. King, to the freeholders: it met with their unanimous approbation; and they chose the following gentlemen a committee to present the same to his majesty, viz.

The Hon. Thomas Howard, of Ashstead.

Sir George Colebrooke, Bart. of Gatton.

The Hon. Peter King, of Dorking.

Sir Joseph Mawbey, Bart. of Botleys.

Sir Fran. Vincent, Bart. of Stoke Dabernon.

Joseph Martin, Esq; of Eastwick.

Sir Anthony Abdy, Bart. of Cobham.

Anthony Chapman, Esq; of Norbury.

Sir Robert Clayton, Bart. of Marden.

Joseph Clarke, Esq; of Moulsey.

All the above gentlemen, excepting Mr. Howard, who was kept at home by an unfortunate event in his family; and Sir Anthony Abdy, who was ill of the gout; expressed their readiness to present the petition; and it was signed that night by Sir Francis Vincent, and as many gentlemen as could stay at Epsom long enough for that purpose.

At eight o'clock it was taken away, and will be sent to all the market-towns in the county.

Through the whole of this business, there appeared a zeal, unanimity, and spirit, which reflects great honour on the county of Surry, distinguished at all times by its attachment to the king and his royal house, and the cause of freedom.

### *A Defence of the Middlesex Petition.*

WERE it not that the depravity of the age is at its utmost pitch of malignity, and that the generality *love darkness rather than light*, venal and virulent pens would not dare to censure a petition made to majesty with so much decency and loyalty, loaded with complaints founded on facts notorious and incontestable, and which fill the British mind with apprehensions the most tremendous and horrible. No man, I say, would presume to have his letters met with any other than the indignant eye; none other could run over his soul reproaches cast on the Middlesex petitioners: for what provokes his pen is no other than because their truly patriotic minds have been attentive to the weal of the public, and are justly aroused and alarmed at the impending ruin of our civil constitution: And what sensible Briton, but may be well assured the numerous grievances openly laid before majesty, must have as full and conclusive evidence of their reality, as can be needful to support an address made with such solemnity? If these representations thus made had been only *fiction* or romance, the petitioners would have been charged with an unheard of insolence, and must have forfeited all the civil rights of society. It is not therefore credible, that such respectable characters would have dared to approach the presence of majesty with *a lie in their right hand*. But admit the truth of the several articles of complaint, every truly British heart must meditate terror, and tremble at the measures taken to enslave a free people.

Can it be denied, "that the m----- has employed the force, treasure, and offices of the society, to corrupt the representatives, and gain them to his own purpose?" And if he has, are the people any longer free? Is not the will of the m----- become the supreme law? Much has been said to justify the ---- of ---- in the affair of Wilkes and Lutterel; yet I do not remember that it ever has been shewn, the determination for Lutterel was by a majority of free and legal representatives of the people; the voice for him was that of the minister, and not of the m-----s, they were his passive instruments under his influence, and had no freedom. *Placemen and pensioners*, &c. all under the controul of a first lord of the t-----y, said, yes. The free and independent m-----s all said, no. When therefore we weigh the evidence by the balance of the sanctuary, i. e. by reason, equity, and truth, Wilkes had the legal right, and Lutterel had no right. In all courts of judicature, whenever it appears that the evidence had been bribed, such testimony has no force. This therefore being the complexion of the -----, is the bottom of the evil, the root of all our dreaded dangers, and the sole power that can enslave us. It matters not what *is*, or what *is not* the power of parliament, either to receive, or to reject the persons, chosen by the people, so long as the m----- has it in his power to make a majority speak whatever he shall propose to be spoken by the ---- of -----.

The people have been told this a thousand times; they see, they feel the shocking consequences of being bribed themselves; and yet they even make choice of the briber; nay, they will refuse the placeman! So powerful is gold, men dread not chains, when made of gold. Anon the links, nevertheless, will chafe and gall the vassals of despotism. We may go on awhile without any thought, we may banish all concern about the consequences of the present a-----n, but not any thing is a more certain truth, than that it uniformly speaks, and will speak, more loudly; all which one single word can contain in its full sense --- SUBVERSION.

An infamous pen plays with the word *discretion*, as used by the Middlesex petitioners, who says, "he is not discreet enough to discern how discretion can put an end to law, liberty and safety."-----whereas the petitioners expressly mentioned, *a certain unlimited and indefinite discretionary power*. But every one acquainted with the use of the term, *discretion*, well knows, that it is commonly used to denote, "a liberty of acting at pleasure, untroubled, unconditional power:" as well as that it is also used for *prudence*; but the silly man diverts himself with ringing changes upon the words *discretion* and *indiscretion*, playing with the figments of his own crude and idle imagination; when all the while any man of common sense could have told him, that a certain unlimited, indefinite, discretionary power, is the reverse of law, liberty, and safety.

N E V I L L E.

P. S. Should the Middlesex petition be deemed treasonable, we may then be assured, that all the friends of the revolution must also be deemed traitors.

My Lord,

I SHALL make no apology for troubling your grace with this my farewell letter, intending soon to quit the field of politics for the sweeter and more happy retirement into the country, there to cultivate my vine at my Sabine farm. Your grace I suppose will also relax your mind from that weight of incessant complaint from a disturbed, uneasy people; great have been their sufferings, little has been their redress. The law of the land has been set aside to make way for the imperial sway of the will of a despotic administration, prone to the invention of every mischief that can befall the nation. Our constitution is no more, our rights are gone; the times of Charles the First seem now to blend themselves with the absurdities and cruelties of Charles the Second; nor can I think it true that the arbitrary principles of the former could ever have been centered in the descendants of the latter. Your grace's private character shall ever remain unattacked by me. My friend Junius, whose deep piercing pen is so far superior to mine, and to every other writer of this age, has lately endeavoured to trace out the fountain head, so that it would be needless for any one to attempt it, was he inclined to deduce natural causes, and to find the spring from whence those sulphureous qualities in the current proceed. I mean to point only at those who have been the advisers in the late unconstitutional proceedings; I say unconstitutional, because I can never bring myself to think that Mr. Luttrell is the chosen representative of the county of Middlesex, or ever intended so to be by the electors; and therefore I call it a breach of the laws of this constitution.

Times are only quiet now because the people sink under the weight of misfortunes; and what can the tame voice of reason do, when borne down by the high hand of power?

I have frequently wished your grace had no concern with the B-----y tribe, and have often thought that a connection in the political system with lord T-----e and lord C-----m might have once more shifted you from pillar to post to enjoy the sweets of a fresh attachment: However forsaken or forsaking, you have at last riveted your political nail with a connubial stroke, and drove it home to the head. Such a piece of policy will, you apprehend, effectually secure you against a northern nipping blast, and the possession of a virgin in the house of B-----d will amply compensate all the fatiguing trips that your grace has made through every sign in the political hemisphere. I am in hopes now that some administration may be from hence formed that will be a little more permanent than the weather. But, alas! are we to expect that from the haughty B-----y tribe? I could wish steadiness to honest measures was to be found there; but imagine that their strength is alone depended upon by them, both for the command of the closet to obtain measures suitable to their despotic wills, and for the obedience of a complying P-----t.

If by such strength a permanency is to be attained, the ---- and kingdom will soon wish a change; nor shall we then think much of these times, though now ever so loudly complained of. Hardships and misfortunes, that we judge so in this age, will then be thought even mercies and pleasures.

Now, my lord, when sometimes laws are relaxed for vitiated purposes, at other times cruelly stretched beyond their strength; when the whole system of government is not consistent with the genius of the people, is it not to be supposed that law and liberty has forsok the land? and though drove out from among the wicked, will for ever haunt the place of its nativity in some ghost-like form or other, which cannot bear to quit the land without recompence made to the injured shade, and when children talk of apparitions, nothing is so common as for the sprights to appear. Look you, my lord, I think I see already the injured Ghost of Liberty at the bar of the H----- of C-----s to come to tell the tale of 1769.

*The INJURED GHOST of LIBERTY in 1769 at the Bar of the H--- of C---.*

WHEN all was closed in dreadful night,  
And most things wish'd repose,  
Forth from its tomb the ghastly spirit  
Of liberty arose,

Her features all benumb'd with woe,  
Her skin was pale with care,  
Her languid limbs were parch'd with grief,  
That once so pliant were.

With mournful step to find her spouse,  
And seek for freedom there,  
She wander'd to that fatal house  
From whence her sorrows are.

She touch'd the bar, and gave a groan,  
Bid serjeant hold her shroud;  
She look'd about, and shook her head,  
And thus bewail'd aloud:

Mr Sp--k--r, I came here to wish,  
With patience you would hear,  
'Tis plaintiff liberty that speaks,  
The house would lend an ear.

Hear, hear--then see that breathless form,  
Which thy misdeeds have brought,  
Hear, hear--behold that empty shade  
Which thy misjudgments wrought.

Look here, and see the piteous shape  
That once was fond to live:  
Say, monsters, why did ye destroy  
That life ye're here to give.

The methods took were horrid foul,  
Through B-----e and G-----n's will,  
The P----- bid the D-----e to know  
She would be ruler still.

Let B---e himself be forc'd to see  
The deadly waste he's made  
To blast the fruit that's Britain's growth  
In liberty's fair mead.

Then let him feel with tortur'd heart  
The stroke he lately gave,  
For Britons will lament the deed,  
And rue it to their grave.

This foreign P----- vow'd revenge  
On Wilkes's cursed plot,  
Nor would she rest one night or day  
Till full revenge she got.

Then G----- came, and promis'd much  
If G----- would firmly stand,  
He'd carry through the wrongs begun  
With high despotic hand.

How could ye (none but ye could do)  
Cut off my bloom so soon,  
And let my lasting night come on  
Amidst its perfect noon.

Hear, hear- Thus fell that bulwark law  
Which held me fast in hand,  
And with it dragg'd me to its grave,  
And bade me leave the land.

Here then I stand, and firmly ask  
What right ye had to act  
And judge against the well known law  
Of freedom and of fact?

What then is gain'd by Bl-----'s book,  
Or cull'd from N-----'s law,  
When contradicted by themselves,  
It matters not a straw?

The treasury band led up the van;  
They then were sure to win,  
The major part went out with N---h,  
The minor staid within.

How can ye vow a patriot part,  
And yet that vow forsake;  
How could ye think to win my heart,  
Yet cause that heart to break?

Why did ye tell to all the world  
Their freedom you'd protect;  
Yet truly prove those gilded words  
To be of none effect?

Oft have I heard this house declare,  
That liberty should live,  
When by your wounding words you mean  
Nought else but to deceive.

Oft have I on my bended knee  
Submissive come to know  
Your will--what not, to please that will  
Been forc'd to undergo?

Where are the few who lov'd me dear?  
Have they forsook the land?  
Sure they have not been bribed by gold,  
Nor bought by G-----'n's hand.

Yes, yes, the tale is surely true,  
Or else no force could do't;  
For Britain's liberty to fall  
A sacrifice to B---e.

Where are those men who dar'd destroy  
The nation's right and mine;  
To B-----the sacrifice was made,  
The shame, O G-----'n's thine.

What more, ye fiends, ye'd wish to do?  
What treach'rous ills impart?  
'Twas you, two hundred twenty-two,  
That stabb'd me to the heart.

The tribe of law step forth, and took  
Those wicked deeds in hand,  
Decreed the law of parliament,  
Is law for all the land.

The freeman's vote was soon destroy'd,  
And with it went his right;  
The greater number was the less,  
The lesser chose the knight.

Thus was I slain, and thus I fell;  
Oh curs'd decree of law  
Thus from the kingdom I'm ordain'd  
For ever to withdraw.

The nation lov'd me to the heart,  
And I to it belong'd,  
But parted thus by shameful act,  
The kingdom has been wrong'd.

Why for such hardships was I nurs'd  
In Britain's fairest isle?  
Or say perfidious why these limbs  
Were suffer'd thus to spoil?

Pause on the wicked deeds ye've done,--  
Dream of the fatal change!  
Your crimes are number'd in the book  
Which justice shall avenge.

Say, where your wicked souls will lodge,  
When from your bodies fled!  
Think on those pangs ye're soon to feel  
In that tormenting bed!

May spectres stare ye in the face!  
May horrors guard ye round!  
May conscience ne'er forsake such fiends,  
But all your thoughts confound!

Let Ægypt's plagues invent distress,  
And ev'ry art to tease,  
Till every Briton's wrong's redress'd,  
Ne'er let those torments cease.

I am a ghost 'tis true, you see,  
I come to haunt the house;  
Your wicked deeds have wrought the  
change,  
--A lion to a mouse.

But hark! the midnight bell has toll'd,  
To call me to my home;  
Atone for this your black offence,---  
Remember me when gone!

VERIDICUS.



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T H E

POLITICAL REGISTER,

For A U G U S T, 1769.

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N U M B E R XXIX.

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For the POLITICAL REGISTER.

THE FAVOURITE *unmasked, or the History of the losing Game as it has been playing at a certain C—— from the Year 1763, to the present Time.*

THE wheel of politics in its revolutions naturally brings about a similitude of circumstances and events happening at distant periods, which would often pass unnoticed by the generality of mankind, if the mirror of comparison was not occasionally held up to public view. This observation is no where better verified than in the history of Great Britain. We are apt to read with inattention, to admire the narrative indeed, of remarkable transactions as they pass in review before us, but we seldom take the pains properly to investigate characters, to develop the springs of political transactions, or having discovered them, to apply them home to the present moment. A little more reflection, and a closer attention to the most important events in the political history of this nation would soon convince us, that as in the animal, the vegetable and the moral, so in the political world, the same causes will ever be productive of the same effects. And as certainly as the seasons of the year return; as the earth produces annually the same kinds of fruits and herbs, which change not their species; as animals engender, and  
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bring forth their kind with little or no variation in the fixed laws of nature; and as virtue and vice alternately prevail and stamp the character of the times with industry, temperance and sobriety, or with dissipation, riot and profligacy of manners; so will the same political characters rise up in the present, as were marked and distinguished in the same country in former times, the same parties will rise again on the political stage, and perform the same historical pieces with little or no variation, except in the *dramatis personæ*. One set of actors die off, and another take up their parts, and as to the hero of the piece, all the difference is, that in the last century it was *Charles the second*, and to day it is *George the third*, who receives this benediction at the close of the regal table—**WHOM GOD PRESERVE—Amen**, says the writer of this essay, and may the same benediction alight on all his illustrious family. In the days of the easy, good natured Charles, the subject was aggrieved, the freeholders of most of the counties in England presented petitions to the king, the livery of London did the same. The lord mayor, the aldermen, and the recorder of the city of London, were rated and rebuked at the council board, and a lord chief justice *North* advised and framed the following proclamation, which was deemed a master stroke, as it formed a very nice distinction or what may be called a hair-line of partition in politics, between the *matter* and the *manner*. For says the chief justice in council, —“ The proclamation should by no means prohibit the petitioning his majesty in any case, much less in case of the parliament. But it might take notice of certain ill designing people, who upon the specious pretence of petitioning, went about in a seditious and tumultuous manner, gathering hands to certain papers purporting to be, &c. and then forbid all such tumultuous and seditious proceedings, enjoining all magistrates to punish the offenders. And his lordship said further, that such a proclamation, though not directly against the *thing*, but the *manner* only, would be a great encouragement to, and support his majesty’s friends; and it was of great use to furnish *them* with apt words, and *proper distinctions* to work withal.” Who that will be at the pains of examining the writings of Creon, and several other ministerial scribblers in our news papers, will not be struck with the similitude and cry out, that the nice distinctions advised by lord chief justice *North*, are now playing off in full force against the freeholders of Middlesex, and the livery of London, in the lucubrations of these tools of a despicable administration. Weymouth perhaps is in want of a precedent, or perhaps the chief justice does not approve

prove of the expedient.—But as statesmen often alter their opinions, it is more than possible that if the spirit of petitioning circulates, we shall have a proclamation; it may not be amiss therefore to spare Mr. Wood his under-secretary the trouble of drawing one, (to whose lot it would certainly fall, for he who cannot write a polite accurate card to a chief magistrate, will not surely presume to write again on public business) by inserting the original by lord chief justice North.

*His Majesty's Proclamation against tumultuous Petitions.*

“ CHARLES REX

Whereas his majesty has been informed that divers evil disposed persons at this time endeavour, in several parts of this kingdom, to frame petitions to his majesty for specious ends and purposes relating to the public, and thereupon to collect and procure to the same the hands or subscriptions of multitudes of his majesty's subjects, which proceedings are contrary to the common and known laws of this land, for that they tend to promote discontents among the people, and to raise sedition and rebellion. His majesty considering the evil consequences that may happen if such offences should go unpunished, and lest that any one of his good subjects should be inveigled by plausible pretences, or should through inadvertency and ignorance, be engaged to a breach of the laws, in any of the particulars aforesaid, his majesty therefore hath thought fit (by the advice of his privy council) to declare and make the same known by this his royal proclamation, and doth hereby strictly charge and command all and every of his loving subjects, of what rank or degree soever, that they presume not to agitate or promote any such *subscriptions*, nor in any wise join in any petition *in that manner* to be preferred to his majesty, upon peril of the utmost rigour of the law that may be inflicted for the same. And his majesty doth farther command all magistrates and other officers, to whom it shall appertain, to take effectual care that all such offenders against the laws be prosecuted and punished according to their demerits. Given, &c. December 12, 1679.”

It is very remarkable that at this period, the lord mayor was a zealous supporter of what was then stiled the *faction*, and the recorder, Sir George Jefferies, was as strenuous an advocate for the court party, and was accordingly employed by the ministry to procure a number of merchants to go up with an address to the king. “ In their address they declared this way of *petitioning* to be the method of 1641, “ and intended to bring his majesty to the block, as his father “ was brought, all which doings they *abhorred*. This ad-

“ drefs being moft graciously received by the king, the  
 “ train took, and the frolic went all over England, fo as  
 “ there was fcarce an affizes, or confiderable town, that  
 “ did not fend up their addrefs of *abhorrence*, whereby in-  
 “ ftead of being importuned by factious affronts, the  
 “ king was diverted by great variety of loyal professions,  
 “ and entire reliances upon him, and other dutiful ex-  
 “ preffions.” And at the fame time care was taken under  
 the fhadow of the proclamation to fignify the king’s high  
 difpleafure at the petitions, and his determination not to  
 receive them. And thus by intimidation on one hand,  
 and bribery on the other, the affair of petitioning *for the  
 fitting of the parliament* was dropped. But as the miniftry  
 thought proper to quiet the minds of the people, the par-  
 liament was convened, and no fooner fat, but they took  
 into confideration, all the proceedings relative to the pe-  
 titions and the addreffes of *abhorrence*, and came to the  
 following refolutions. 1. That the people have an un-  
 doubted right to petition. 2. That to traduce petition-  
 ing, as tumultuous or feditious, is betraying the liberty of  
 the fubject, and tends to the introducing of arbitrary  
 power, this refolution was directly levelled at the procla-  
 mation. 3. It was refolved to appoint a committee to en-  
 quire after thefe offences. An impeachment in confe-  
 quence was moved for in the houfe againft lord chief juftice  
 North, for drawing up the proclamation, but it was fo  
 over-ruled by the court party, that it came to nothing, but  
 the recorder Jefferies was reprimanded at the bar of the  
 houfe on his knees, and was obliged to refign his office,  
 for having procured the addrefs of *abhorrence* from fome of  
 the citizens, and the fteward of Weftminfter who had  
 been very active in carrying up an addrefs of abhorrence,  
 thinking to efcape with a flight reprimand, owned in his  
 place, for he was a member of the houfe, *That he did pro-  
 mote and carry up that abhorrence, but he knew at the time, he  
 was in the wrong, only he thought it would pleafe the king;*  
 and then he asked pardon of the houfe; but notwithftand-  
 ing this fubmiffion, fo greatly incensed was the parliament  
 againft thefe addreffers, that he was firft reprimanded, and  
 then expelled.

It is a pity our comparifon will not hold good in every  
 inftance: the late addreffes were as infamous in their ten-  
 dency, and as bafely procured as the addreffes of abhor-  
 rence, and for a time, they flopped the proceedings of the  
 friends of liberty, by preventing the inftructions intended  
 to be given to the representatives of the people during the  
 fitting

sitting of parliament. But the parliament was very far from taking any notice of the addressers. Upon the whole however, it is sufficient for our purpose to have shewn, that there was a time similar to the present, when the contention ran high between administration and the people, and when the one thought proper to prefer petitions of grievances, and the other to shield themselves by a cloud of addresses obtained by bribery, corruption and undue influence. This parallel is only drawn with a view to introduce a more striking one, which will at once discover the aim of a favourite, and account for all the arbitrary proceedings which for some years have alarmed and disquieted the public.

About the year 1729, a certain Mr. Winnington, who had for many years distinguished himself as a remarkable *Jacobite*, professing a firm, steady attachment to the cause of the house of Stuart, and upon all occasions, when he could do it consistent with his personal safety, promoting their interest, suddenly turned courtier, and was deemed by the administration of that time to be a very considerable acquisition to their party. This gentleman died in 1746, and among his papers was found a manuscript, entitled *An Apology for my conduct in Parliament*, with this motto, *Trabit sua quemque voluptas*. It was printed soon after, and in the rotation of human affairs it has so come to pass, that every line of his apology is at this time truly interesting to the friends of our happy constitution, and merits the serious attention of every loyal subject, who wishes well to our August sovereign, and to his illustrious house. What Winnington was, B—e may be, and like him, his well laid scene of political hypocrisy might not have been discovered till after his decease, if the spirit of the people had not been set against him. But a continual opposition to every salutary measure for the prosperity of the kingdom, and for the satisfying and quieting the minds of the people, having distinguished him and his adherents for a number of years, it has naturally set the studious and considerate on enquiring into the hidden motive for promoting so much national discontent. And as the partisans of the earl of B—e have constantly declared that their patron was not actuated either by ambition, the love of wealth, or the spirit of revenge: it seemed necessary to find out some fixed capital object, of all his political manœuvres, which have constantly indicated a firm attachment to the principles of despotism, and have always rendered him unpopular, and in some respects detestable in the eyes of a free people,

people. Now if we can prove by analogy of conduct, that his lordship's principles are the same as those of Winnington and his party, we shall be at no loss to account for the convulsions into which this nation has been thrown by the secret friends of enslaving popery and arbitrary power. Nor shall we any longer be astonished at the indulgence granted to the Roman Catholics in one part of the British empire, or the unrelenting oppressions exercised over the protestant dissenters in another.

Mr. Winnington was nephew to the celebrated Harley, earl of Oxford, who was prime minister at the latter end of queen Anne's reign. And he gives the following account of himself. ●

“ My country and — prince (*the pretender*) were ever in my view, and uppermost in my thoughts, even in my tender age, for so was I tutored to think, before I was capable of reflection. Yet this prejudice strong as it might have been, was not of force enough to prevent my examining the depth and justice of the principles, that had been inculcated so early and so carefully.

“ The first step I took in this so necessary a research was, to examine the motives, the justice, the necessity and expediency of *the revolution*, a measure that had occasioned so mighty a chasm in the constitution. I consulted the best authorities both living and written, concerning that important change which happened before my time, reckoning that from such only, judgment might be best formed of the worth of those principles, adopted by the two different contending parties in the nation.

“ I could evidently gather from books and men of all parties, that those who had the earliest and principal share in the conduct of that mighty affair, had no view to such a change as happened, nor intended to go such lengths as they were led into afterwards. Here I paused awhile, to see if I might not rest where so many great men had taken their stand, even while the scene was yet fresh and unclosed. And I freely confess to have thought this so early a struggle in favour of the *old constitution*, to be a tacit disapprobation of the new measure, and a dishonour to those, who had shamefully yielded to the allurements of present favour and power, after they had shined on the other side of the question.

“ Such were my earliest sentiments in regard to that great novel measure, while I was as yet a younger brother, and before there were any thoughts by my friends,

“ of

“ of introducing me to the family abroad, on which the  
 “ crown was settled. Nor could I afterwards see any  
 “ reason for altering these early sentiments, which strength-  
 “ ened with my years, and became at last the basis, on  
 “ which I built that system which I now think myself  
 “ obliged to avow and explain. Among all my relations,  
 “ none had my attention so much as my uncle *Oxford*,  
 “ who had projected my being put into the service of the  
 “ expectant family, and he took care to confirm me in  
 “ those principles, which I had adopted in my greener  
 “ years, much more by choice than chance. The method  
 “ he took was to set before me the nature and excellence  
 “ of the constitution, as it stood before the great event  
 “ under present consideration. He would often compare  
 “ the present state of the nation with the former, and such  
 “ always were his descriptions, as gave the former the pre-  
 “ ference to the present; but if in those early days after the  
 “ accession of the house of Hanover, he found reason for speak-  
 “ ing more advantageously of former than of latter times,  
 “ what would he have said if he had lived in these days of  
 “ ours, when the amount of our taxes almost equals the  
 “ quantum of our specie, and the interest of our debts  
 “ exceeds the old revenue, and when venality and infidelity  
 “ are not only generally practised but openly avowed.”

This crafty politician after developing all the springs of action during the reign of queen Anne positively affirms as an indisputable fact, founded on his own experience,—that not only the earl of Oxford, but Sir Robert Walpole, and every English minister from the revolution down to his own time, constantly had the *old constitution* in view—And this while they were professing the warmest attachment to the house of Hanover, and were enjoying posts of honour and profit under them, so that it was impossible for the vulgar to discover any deceit or hypocrisy in their behaviour, but those who were well skilled in politics knew by the measures they pursued, what were the secret ends they had in view. Our apologist acknowledges that he stood foremost amongst those who practised one constant scene of dissimulation upon this occasion from the year 1729 to the time of his death, which happened in 1746. And being admitted into the confidence of the great men who were in the interest of the *pretender*, he gives an account of the several steps they took for the recovery of the *old constitution* by the restoration of the Stuart family. His apology is made to those of his party, who might have concluded from his conduct after the year

1729,

1729, when he commenced courtier, that he had deserted the good old cause, whereas his real motive was to serve his prince more effectually.

“ The figure I made, says he, while in the opposition to the house of Hanover, and to all the favourite schemes of George the second, gave me such additional reputation with my party, that my desertion, as they termed it, was thought to have given the deepest wound to the cause that it could have received. Such was the language of those I left; and the acquisition which the minister had made was looked upon to be of no small importance by the ministerial party. But to speak sincerely, I left my party to promote that cause and interest they had at heart; and went over to the court, to give the better countenance to the ruinous measures then in hand. Our people, the pretender’s adherents, thought it meritorious to oppose and clog the measures of the court, whereas on the system I laid down to myself, to abet and indulge the court was the sure, though slow means, of reducing the people to that low condition, which often renders a nation wise and desperate.

Having now explained the principles on which this shrewd politician acted, and shewn that the warmest attachment in appearance, to the reigning prince, is no sure criterion of loyalty. It is time to lay open the measures pursued by the pretender’s party to throw this nation into confusion, and to compass a revolution in favour of the old constitution, and of the house of Stuart: And I shall take the liberty to draw a parallel between past times and the present, as I proceed in my examination of the conduct of the jacobites.

“ One of their schemes for retrieving the errors of the last century, so they termed the revolution, was to have thrown so much power into the hands of the king that he must have been an angel if he did not misuse it; by which means, they proposed a republic should rise on the ruins of the monarchy, and a commonwealth once raised on the destruction of kingly government, by granting the king more power than the constitution warranteth, could not fail of re-establishing royalty and the old constitution in the confusion of popular government, to which the English are by no means fitted by nature. The death of the projector of this scheme prevented the carrying it into execution.”

But this first part of the losing game in politics with respect to the r——g prince was played off soon after his accession,



accession, and furnished to sensible people, a key to the political character and principles of a certain nobleman, who, whether intentionally, or through ignorance, it matters not, has rendered as much disservice to his illustrious master, as any of the ministers, who in the time of Winnington, secretly promoted the interest of the house of Stuart; and while measures equally detrimental to the true interest of the s—— are strenuously persisted in under the guidance and direction of the same modern Machiavel, we have just grounds to suspect that a similar motive gives rise to them. Especially as a preference is manifestly given to the *old constitution* as it stood in the time of the Stuarts. It is needless to give any instances of the extension of the prerogative of the c—— since the *twenty-fifth* of October, 1760. But a reference to the exercise of the dispensing power; to the duke of Portland's case &c. may be thought suitable to the subject, we therefore desire your readers to take the trouble of recollecting them, and leave them to form their own judgment on the point in question.

“ The great lord Oxford's plan which he designed to have carried into execution had he been employed by the *new rulers*, (the illustrious house of Hanover) comes next under consideration; it was, to work upon a *consumptive* scheme,—(his lordship's term for tiring out the nation) with *debts, taxes, and coercive laws* and *clogs* upon *trade and industry*, so as that they would of themselves do their own best work, and accomplish the desired reformation of the old constitution.”

It would be an affront to the understandings of all impartial independent Englishmen to enlarge on the glaring analogy between the scheme of lord Oxford, which only existed in theory, because he was not employed, and its actual execution by the servants of the *favourite*, who have laid the heaviest clogs on trade and industry, and who have enforced such coercive laws with respect to America, that the industrious manufacturers of Great Britain sensibly feel the weight of their oppression; and the trading interest of this kingdom is now daily suffering through the misconduct of the m——r at the head of the American department.

The apologist proceeds to inform us—“ That he was astonished to think how *Mr. Walpole*, (afterwards *Sir Robert*, and finally *Lord Orford*) with such moderate talents, a narrow fortune, and very few or no relations of figure or interest, had been able to push himself to the summit of power. The supporting himself there so long as he did, may be easily accounted for, by those

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“ who know *how excessively* lavish he was of the *public money, to his creatures and dependants*. But that waste of the *revenue* would have been necessary, on his plan, *the consumptive one*, borrowed by him from lord Oxford, even if he had not had the maintenance of his own power in view. For as has been already observed, that minister’s scheme was, to drain away the riches of the nation, and waste and enervate its strength, so as that *in length of time*, THE PEOPLE would come of themselves to see their condition, and be ready to exchange it for a better.”

Equally strange it is, that his grace of G——, should have raised himself so speedily to the summit of power, did we not know the ladder by which he ascended, here again we discover the footsteps of the fatal *favourite*, before his grace bowed to this altar of Baal, he held that rank as a British peer and senator, together with the estimation of the people, which his birth, and a display of patriotic sentiments justly entitled him to; and considering his youth and inexperience, a small share in a virtuous administration was all he had a right to expect. Such a share he might have enjoyed with honour, and have strengthened the hands of that great and good man, the marquis of R——, till at length his talents ripening to maturity, in a course of years he might have attained the summit of power, and have taken in his hand the friends of liberty, whom he joined at his outset, and have carried to the royal closet, the standard of public freedom: but ambition prompted to take a shorter course, to seat her unpledged statesman in the throne of power. The subversive scheme of the *favourite* was at all events to be pursued, and a man who could be resolute, bold and daring, one who could laugh to scorn *the proudest connections* of loyal families, true to the interest of their country and of their f——, dismiss their chiefs with insolence, and tread on the necks of inferior patriots with Turkish tyranny, was the man for whom the post of premier was held out; and G—— claimed it as his own. How long he may support himself in it, we cannot presume to say, but if the same causes constantly produce the same effects in all ages, he may enjoy his post till the grand losing game is fatally played out; for you need only read the elegant, nervous letters of Junius to resolve the question—Whether his grace of G—— has not been more lavish of the public revenue to his creatures and dependants, than any of his predecessors; and every man’s reason will convince him that the losing game, or *consumptive* plan is approaching to a crisis, there

wants

wants indeed but another war totally to subvert this flourishing empire. And should that event take place while mens minds are alienated from government, and their affection is but luke warm to one of the best of —, who unhappily cannot yet be brought to a sense of this truth—*That the house of H——r has been constantly beset with false friends*, it is greatly to be feared our natural enemy, who is rendering himself every day more formidable by powerful alliances, will unite with the domestic enemies of this country, and produce a worse revolution in it, than any that has happened since the invasion of the Romans. And then we may be obliged to submit to the *old constitution* under some of their dependants, perhaps some petty tributary tyrant of the Stuart race.

To prevent this, it is incumbent on us, to protest against every part of the *old constitution* whenever it is obtruded upon us, and to shew the utmost abhorrence and detestation of every set of men acting under the direction of the *Judas* of the state—the false friend of the k—, the Winnington of the times, the thane of B—e; and never to admit that the interest of our f—— and of our country is really pursued—till coercive laws and clogs upon trade and industry are actually repealed—till public frugality is observed in the department of the revenue,—till the liberty of the subject is confirmed with respect to the grand object of the freedom of elections—till the swarm of dependants on the minister are expelled the h—— of c——, and corrupt venal plunderers of the treasures of the nation are brought to condign punishment—till these things are happily effected, be assured, that the losing game is going on at St. J——’s—and that our good natured —, unless he should be graciously pleased to call for a new pack of cards, will never have an honour in his hand, and may finally be reduced to his last stake, the \* \* \*. That this may appear more fully, let us dissect another branch of lord Oxford’s and Sir Robert’s politics as recorded by Winnington.

“ Another branch of his scheme was, to corrupt the morals of the people generally, in order to create an indifference in them towards *religion and posterity*. A disregard for the latter would plunge them naturally into profusion and luxury, which would necessarily hurry on poverty and despair—and a disrelish for religious worship in general would render them less averse to those religious tenets, *the romish*, which had given the best colour for the late change in the constitution, meaning, the *revolution*.”

Gracious God! in mercy to this land, avert the storm, for he that runneth may read, he that hath eyes to see, or ears

to hear, must bear a fatal testimony to the real existence of this branch of the *Jacobite* scheme—Were ever the morals of the people so corrupted? Have they not taken the wages of iniquity in open day, a pitiful bribe, to assassinate their fellow subjects in cool blood? Have not the highest and the lowest of the people been linked together in bonds, for the destruction of the lives and liberties of their brethren, which the fiends of hell would have trembled at? Have there not been men so base as to sacrifice their reputations in their profession, to the infamous purpose of screening murderers from condign punishment? Would it not be a folly to attempt to enumerate the instances of the luxury of the times, or the total disregard for posterity manifested not only by public characters, who stipulate for pensions which must entail debts on posterity, but in private families, where an anticipation of the income of years becomes necessary to support the extravagance, and supply the resources for the private vices of parents, who will leave their posterity to shift for themselves and prey on the public? And that poverty and despair must be our lot if we do not reform, cannot be doubted. Finally, what stronger proof can be given of the general corruption of the morals of the people, than the lubricity of our women of birth and education, whom no laws sacred or profane, no ties of honour or gratitude can restrain, or prevent from presenting to the public, a rising generation, whose characters may probably hereafter be as doubtful, as their parentage? Begot under the dog-star of lust, infidelity, dissimulation and hypocrisy, what can Britain expect from such an offspring, but a race of *Winningtons*, of dissembling courtiers, with respect to the impotent male animals; and of faithless *Dalilahs*, beautiful indeed, and voluptuous, as *Cleopatra*,—but incontinent and furious as *Messalina*.

The total disregard for religious worship, is presented to our view, as often as the day appointed for the celebration of it returns. Examine the country houses of the merchants and shop-keepers, cast an eye on the public roads in the environs of this city, look into the eating houses, the taverns, private brothels, and pleasure gardens; and in a few moments you may determine to stamp the character of luxury, profligacy, disregard for posterity, and disregard for religious worship, on thousands and ten thousands. Can a people in such circumstances plead for public virtue, and the liberty of their country, while they themselves are sapping the very foundations of a commercial state, by dissipation and riot?

The consequence of a disregard for the established, or the tolerated modes of protestant worship is, an easy admission of those

those religious tenets, which may operate as palliatives to our vices and follies. And of all others, the Romish religion is avowedly the best calculated for this purpose. For it holds out numberless indulgences to the back-sliding sinner—And they are so plenary, that they white-wash all ranks of persons as well as exculpate from all crimes. Her grace and her chamber maid may make the same confessions to the same holy father, receive the same absolution, open the same account again, and continue it by way of debtor and creditor, now and then throwing in a matrimonial balance to quiet the world, which often is not so easily satisfied as the priest. Besides bribery and corruption, breach of trust and confidence, when considered in a political light, are not only tolerated, but applauded by the professors of the Romish faith. What religion then can be so proper, so suitable to the present time? Can we be surprized, if those who stand in need of every tenet that promises a vindication of despotic enslaving principles, should secretly wish to restore the *old constitution* which gave sanction to, and openly tolerated these tenets? And are not our present wise a——n daily making advances towards this *admired constitution*, by conniving at the progress of popery at home, and by an open support and protection of its worship in all its forms in his majesty's newly acquired dominions, the ceded islands, to which may be added the shameful neglect of the protestant religion in those parts? In a word, are not our protestant brethren in America discountenanced, harrassed and oppressed, while the principles of the protestant dissenters at home, and their unquestionable loyalty to the house of Hanover, are called in question by popish and m——l writers?

The general corruption of the morals of the people is so alarming, as it threatens a dissolution of this free state, that it is hardly possible to say too much on the subject, especially since those whose peculiar office it is to watch over the morals of the people, are totally negligent of their duty, and care not what becomes of the civil or religious rights of their fellow subjects; perhaps there never was a time when a bench of b——s were so entirely devoted to the pleasures and interested pursuits of the world, or so absorbed in politics and devotion to the m——y. The dignified c——y of the next class, are so engaged in intriguing for vacant mitres, and in circulating the despotic principles of a——n, in order to strengthen their interest with the m——r, that they have no time to attend to spiritual things: the whole body of the beneficed c——y lean the same way, and only a few honest curates, with large families and pitiful incomes, can

can be found, who are truly attentive to the duties of their function, as diligent servants in the temple of the lord of hosts. What is worse still, many of the c——y of the higher order set the example of dissipation and luxury; by gracing with their presence most places of public amusement; by keeping their seats in companies and societies composed of loose dissolute characters of high rank, who circulate with the bottle, such obscenities in toasts and sentiments, as merit the serious reproof of a divine. But what divine can now be found, who will dare to reprimand a drunken s——y of f----? would not the generality on the contrary cordially join the revel rout, if a W——h commanded, and they thought a compliance with the vicious inclinations of their patrons, would pave the way to preferment. In short, the fashionable elegance of their equipages, the magnificence of their furniture, and the luxury of their tables distinguish the English dignified c——y at present from all other; and ecclesiastical simplicity of life and conversation must in a short time be sought for, where it was never expected to be found, in the pontifical chair at Rome.

A people become so corrupt, and void of all sense of religion, cannot possibly feel the weight of m——l oppression, the burden must be encreased till their darling vices are attacked, before they will rise from their supineness, or see the danger of a total ruin of their country. The sources of wealth must be obstructed by a neglect of our commercial interests, the supplies for luxury must fail, and the revenues of the nation be so exhausted, that bribes and pensions can no longer administer to vice and extravagance, before the nation will be convinced, that if it had not been for a chosen few, who possessed the ancient public spirit, which has so often rescued this land from inevitable destruction, the *old enslaving constitution* would have been firmly established under the direction of an ambitious *favourite*, who has given sufficient proofs of his disposition to carry things to extremity, and of his determination to subvert the civil rights of free born Englishmen; and this once effected by arbitrary and despotic measures, it would have been as easy to monopolize every profitable branch of commerce, as to engross the places of honour and emolument. His creatures and dependants once engrafted into our trading companies, and entrusted with the direction of them, his schemes would have been complete. How greatly then are we indebted to that fellow citizen, who manfully stood forth, and at the repeated hazard of his life, stopt the bold career of this aspiring man, defeated his projects for enslaving our country, and blasted all his towering hopes? But it is not  
enough

enough that the progress of despotism is checked, the very principles on which it is built must be rooted out of the land, and all who have espoused them must be removed from all offices of honour, trust and profit in the state; or the noble efforts to restore this nation to its ancient state of freedom and public virtue, will fail of their full effect, and the *favourite* may return amongst us, and renew his pernicious influence with double force. Now therefore is the time to surround the — with the petitions, solicitations and remonstrances of an aggrieved people, and strenuously to urge an impartial enquiry into the conduct of all persons, however dignified or distinguished, who have had a hand in promoting the *consumptive* condition of the state, either by making a dishonourable, disadvantageous, and expensive peace, by harrassing and vexing the subject, by laying clogs and restraints on commerce, or by wasting and misapplying the public revenue. If there be any sense of honour, any regard for the welfare of our country left amongst us, surely every county, every corporate town in England will follow the example of the freeholders of Middlesex, and of the livery of London, till the truth, and the whole truth, shall force its way, in spite of all opposition, to the ear of our most beloved s——. and then there can be no doubt, but a m——y will be formed, composed of men of integrity and abilities, who will promote the true interest of their s—— by engaging him rather to place a confidence in the good dispositions of his people, by enlarging their rights and privileges than to violate or abridge them, and thereby shew a mistrust of their loyalty and affection. The point steadily pursued of obtaining a redress of grievances, is the only way to prevent the return of an insulting minion, who will not dare to set his foot in this kingdom, while the sons of freedom persist in their public spirited measures. But if through supineness, or any worse impediment, the public cause of the people is relinquished, and the example already set is not generally followed, the present a——n must finally gain the victory, and then the D—— of G—— will send for his master home, who will exercise fresh vengeance, suitable to the implacability of his temper, on all his enemies, and in that case, it is to be feared all future attempts to recover the expiring liberty of this renowned empire, will prove abortive.

*Nunc aut nunquam*, is the proper motto of the times: so say

July 18th, 1769.

HARMODIUS and ARISTOGITON.

## For the POLITICAL REGISTER.

*An Analysis of the British Constitution, in its genuine purity; from which is deduced the policy and expediency of adopting conciliatory measures with respect to our American Colonies.*

THE effects of the unhappy disputes, which at first were foolishly raised, and have since been as wisely continued, between us and our *American* brethren, are become of so alarming a nature, as to merit the most serious attention. These effects are now past being foreseen; they are actually felt, and, if not soon removed, will be felt in a much more sensible manner by every landed gentleman in this kingdom.

I have no connection with America by trade, but should rejoice to see some attention paid to the revival of our mutual commerce, upon which most certainly the prosperity, and probably the very being, of this kingdom depends.

This can never be effected to any good purpose, without a restoration of that mutual harmony between us and our American colonies, which had subsisted without interruption from their first establishment, until it was lately kicked out of doors by the bold rashness of some men, who laid claim to more wisdom than they were entitled to; and who professed a mighty zeal for a constitution, which, they either never understood, or never intended to support.

About thirty years ago, I was very happy in an acquaintance with a gentleman of a most amiable temper. He often declared he was never drawn into a quarrel in his life, and was persuaded no reasonable men could quarrel, if they had patience to understand each other.

I should be glad to see this experiment tried between us and our American brethren. The dispute has been hitherto unadvisedly managed with more warmth than prudence, until, at last, the argument seems to be engaged on one side, and the abuse on the other. Let us have patience to understand each other, and then it will be no difficult matter to discover on which side the mistake lies.

Both sides appeal to the constitution of Great Britain. It may, at first sight, appear unaccountable that men should agree in the principle upon which they argue, and yet differ so widely in their conclusions. This difficulty will soon vanish, when we reflect that nothing is more common than for men to agree in the words they make use of, when the ideas they annex to them are as opposite as light to darkness.

Therefore, before we can possibly come to a good understanding, it is absolutely necessary to settle, what we mean  
by



by the constitution of Great Britain. One would think this was no very difficult thing to do. We are always talking of our constitution, we seem very fond of it; and make no scruple of boasting that it is the best civil constitution of government in the world; and yet I fear we too often amuse ourselves with the agreeable sound of the words, without any determinate ideas annexed to them.

As my view is to recover the happiness of these once prosperous kingdoms of Great Britain and Ireland, I hope to be allowed to speak freely upon the subject; and shall endeavour to express my sentiments with a decency, that can give no reasonable cause of offence to any man. In order to be the better understood, I must beg the reader's indulgence in going a little way back to trace our constitution from its first source, *the law of nature*.

Every man, in the state of nature, had an undoubted right to his property, *that is*, his *life, liberty, and estate*. But, as mankind increased, fraud and violence increased too. In time the possession of this right was rendered very precarious; as the head of one of these little communities confined within the bounds of one family, had no power of defence against the encroachment and violence of unreasonable men, except his own personal strength, and that of his children and servants, which too often was proved by experience to be insufficient; therefore, mankind very soon found it necessary to enter into larger societies, to unite their mutual strength in defence of their properties against the hostile attempts of their neighbours, and to appoint some person to lead and direct their united force.

To preserve peace and quiet at home, it was also necessary to establish some kind of civil government among themselves, and to appoint a common judge to determine equitably and impartially any disputes that might arise about property between the members of the society. This power was generally intrusted by the community to the man, who was chosen by them to command their united force for the public defence.

The settling these disputes at first was no very difficult business to a man of sense and probity. But, in process of time, as societies increased in number, the disputes about property became so numerous and complicated, that it was found necessary to establish legislators, with this trust, that they should enact such public standing laws for regulating the claims to property, as should appear most equitable, and conducive to the peace and good order of the community; and which should secure the just rights of every member thereof, so far as human prudence could possibly contrive.

The legislature is the supreme power in every common-wealth whatsoever. The constitution, or, in other words, the form of government in every country depends upon the legislative authority; and therefore the respective forms of government are distinguished from each other, by a denomination founded upon the investiture of that trust.

In the infancy of legislature, while the law of nature and reason, which was the foundation of it, was impressed upon the minds of legislators and the people, very few laws were necessary to regulate internal disputes. Therefore the legislative authority was also generally intrusted with the person, whom the society had chosen to go in and out before them, to lead and direct the united force of the whole community in defence of their rights and properties against rapine and violence. Thus the legislative and executive authority came to be invested in one and the same man.

But it too soon appeared that their leaders or kings were subject to like passions with other men; and, that those they had intrusted to defend their property against others, invaded it themselves. Here the private members of the community found themselves in a worse condition than they were before their union. The very person they had placed their confidence in, became a *rebel*, and was supported in his tyranny by the very power they had intrusted him with for their own defence.

This, as might reasonably be expected, generally ended in anarchy, confusion and bloodshed. When the people prevailed, the legislative authority was intrusted by them to such other hands, as they then judged might best answer the end for which they entered into society, *that is*, the security of their properties. They tried Aristocracy; they tried Democracy; but with no better success. The same inconvenience and mischief followed from both, at least to one part of the society. The lords, when uppermost, oppress the commons; and the commons, in their turn, oppress the lords; as the absolute monarch before had oppressed both.

In order to avoid these evils as much as possible, the *British* constitution was wisely formed upon a combination of all three. The legislature consists of three estates, which were instituted as checks upon each other, in order to secure our liberties and properties against all. Every new law proposed, is separately considered by the lords, and commons, and separately agreed to by them in their respective places of assembly, before it can be enacted into a law. But even then it is no law, until the king has given his assent to it. This *prerogative* of the crown is so peculiarly personal, that

that the king executes it himself in his own person. This is not the case in the execution of other branches of the prerogative, which are subject to certain forms, to be executed by special officers appointed for that purpose, who lie open to an impeachment for any unconstitutional or prejudicial act they advise, or concur in. To plead the king's command, is no justification. It was their duty to have better advised him. By this regulation, it was expected that wisdom and a true public spirit in any one of the estates, would effectually secure us against the danger of oppression by bad laws.

If the question should here be put, What is all this for? This is no more than we knew before. I answer, I allow the reason for the objection, but not the force of the objection itself. We know a great many things, which the thoughtless dissipation of the present age prevents our attention to the consequences of. For this reason we find many constitutional maxims universally allowed in theory, which are seldom to be met with in practice. We often see it full as necessary (and more useful) to be reminded of what we do know, as to be informed of what we do not know.

Now, let us here reflect upon the consequences, which naturally follow from the above universally allowed premises, which, to the misfortune of these kingdoms, have been much oftener agreed to, than regarded.

*First*, The boasted excellence of the British constitution; that no members of the community are subject to any laws but what they have given their assent to by themselves personally, or by their representatives chosen by them for that purpose.

*Secondly*, That the independence of the three estates of the legislature upon each other, is necessary to preserve our constitution inviolate. Otherwise, the civil balance, upon which our safety depends, will be lost. For, if it should ever happen, that one of the estates shall become subordinate to, or dependent upon the other two, we shall have but two estates in the legislature instead of three. If two of the estates shall ever be brought in subjection to, or dependence upon the third, we shall have but one left; and, of course, must fall, as the opportunity may serve, into an absolute monarchy, an aristocracy, or a democracy; the very three evils our constitution was intended to avoid. A nominal independence, is no independence at all. But, if the three estates shall ever come under subjection to a *ministry*, we shall lose king, lords and commons, and fall into a new kind of government without a name; but which will approach very near to the curse upon *Canaan*, the son of *Ham*,—*A servant of servants shall he be.*

If any one shall object, that the same principles will conclude against *septennial parliaments*. I answer—If they will do so, I cannot help it. When the premises are allowed, all just conclusions will follow, whether the objector, or myself, be pleased with them, or not. It is well known, that when the bill for septennial parliaments was before the house, a very strong opposition arose against passing it into a law, on account of its being an unconstitutional innovation, and dangerous to the rights of *the commons*. The propriety of the objection was granted by the ministry who brought in the bill. They allowed that nothing but the present necessity of the times could justify it; that it ought to be repealed as soon as the danger from a *popish pretender* was over; and that it ought not to be drawn into precedent. Here we have a genuine example, what little credit *ministers of state* deserve, when they have in view an increase of their own power. These septennial parliaments have been continued to this day, although, for many years past, no necessity could be pleaded for them, but a minister's necessity of *bribery and corruption*, to support his own unconstitutional power by destroying the morals of the people.

Which foreign species of government, above mentioned, we are in most danger of falling into, I will not take upon me to say. But, this I will venture to insist upon, that if we fall into any one of them, it must be the consequence of our own folly, security, inattention, or wickedness. For the constitution has not only appointed the three estates of the legislature, but, in order to secure their independence, has invested each estate with its peculiar privileges for that purpose; and no one is intrusted with so much power, as *by force* to reduce the others to subjection. This we need not dwell upon; for the disputes about *privilege*, have generally been supported by a vigour sufficient to prevent any dependence, that has hitherto been attempted by the violence of open force.

The commons, who are much the greater, and the most essential part of the commonwealth, are for that reason guarded by their privilege with an effectual security. And if we suffer the enemy to prevail by undermining the covert way, it will be owing to our own neglect or fault, and we shall have nobody to blame for it, but ourselves.

This grand privilege of the commons, is the liberty of granting, or refusing, such supplies as may be requested (*not demanded*) of them by a ministry, under colour of support of government. This necessarily includes a right to know for what purpose the craved supplies are intended; and, if the commons

commons deem it reasonable to grant them, it also includes a right to appropriate them to that particular use, and to be informed afterwards how the money has been actually disposed of. If this privilege shall at any time hereafter be lost, I suspect that very few Britons will hesitate to believe, whatever they may dare to say, that their true constitution is dissolved and changed for another, without their consent.

This is the privilege, which the house of commons has heretofore vigorously supported, and, with so laudable a jealousy, that they would not suffer even the house of lords to introduce, or add an amendment to a money bill. The necessity of supporting this privilege at all events, is very obvious. For, it is the only effectual power the commons have to obtain a redress of grievances, when tyranny and obstinacy shall refuse it.

I have here given, as far as my judgment will assist me, a just and faithful account of the British constitution; which, while preserved in its purity, is the very best institution of civil government in the world, and will naturally be attended with the greatest ease to both the governors, and the governed. But, as the best things when corrupted, generally turn out the worst, it is the more necessary for us to keep a sharp look out, and to prevent in time every artful attempt to taint or undermine it. The evil is much more easily prevented, than remedied.

What has been said above, will reduce the dispute between us and our American colonies to a point. They insist upon a right to the privileges of British subjects; and we insist upon their being subject to the British constitution. But how they can be subject to the British constitution without being entitled to the privileges of British subjects, will need some ingenuity to make out.

It is the undoubted right of the commons of Great Britain to refuse payment of any taxes, that were not granted by their representatives, chosen by them for that purpose. When I call this an undoubted right, I do not mean that it has been an undisputed right. We all know it has been disputed, and the dispute at last determined by the sword. By an undoubted right, I would be understood, that it is a right the commons of Great Britain have always claimed, and hitherto defended to the last with success.

Now, the question will be, whether our American brethren are intitled to avail themselves of this first, and most essential privilege of the commons of Great Britain. Before we determine this point against them, it will be incumbent upon us to prove, either

*First*, That they are not intitled to the privileges of British subjects. or

*Secondly*,

*Secondly*, That their houses of assembly are not the true legal representatives of the commons there, chosen by them.

I must confess, it is beyond the power of my poor abilities to defend either of these two points against them; and therefore I leave that task to heads better qualified for that purpose, than my own.

But, suppose these two points should be determined against them, there will remain *a third* of no less difficulty, *that is*, to satisfy them upon what kind of constitution (*short of slavery*) their civil government really stands. This, I suspect, will carry us back to *the law of nature*, or to the original contracts upon which those colonies were at first established. But, I am afraid these will prove no hearty advocates for our claim, as they have already been retained on the other side.

However, I hope these disputes may end in some good to both parties at last; by enabling us to understand each other; and by putting our managers into the right, and only way to re-establish that harmony between us, which we all have reason to lament the loss of. Then we may hope to find our ministers at leisure (before it be too late) to turn their thoughts to other ways and means, than what too often monopolize their attention, to ways and means for restoring and encouraging our trade with our American colonies, and for fixing it upon an advantageous, honourable and lasting foundation. This cannot be effected, but upon a judicious plan of mutual interest.

The decay of the trade of this kingdom is too well known now to be a matter of speculation. It is a matter of notoriety. If any man is weak enough to dispute it, the modern scarcity of money among us is an undeniable proof against him, which if he cannot see, I know nothing, but his own feeling, that can convince him; but then it may be too late to seek for a remedy.

The circumstance, which imposes upon many gentlemen in this case, is our national credit, which gives our immense *paper* the value of bullion. This will support us as well as money, so long as we can support the credit of our *paper*. But, how can the credit of our *paper* be supported, unless we take care to encourage a trade that shall furnish us with a balance in bullion to answer our *paper*?

The necessity of supporting our public credit is universally allowed. But how can a ministry do this without a balance of trade in our favour? And, how will it be possible for our merchants, who have hitherto stood in the gap, to prevent the mischief of a run upon the Bank of England, when

when their own paper will be in danger, for want of returns from abroad in bullion, when the produce of the country was not sufficient to pay them? To say, there is no danger of such a run, may prove an inclination to stand the hazard of the mischief, and will be an infallible proof of a want of attention to prevent it. I wish that gentlemen of this opinion, would consider, that all our mercantile neighbours, who are interested in our paper, know what we are about, and the consequences of it, as well as we do ourselves.

The less that is publickly said upon this subject, the better. But, it was necessary to say something to rouse the attention of our managers, to the public security, who seem to be lost in the pursuit of what, if obtained, will do us more harm than good, in that respect.

As the house of Bourbon, ever since the family compact, have set their faces against us, I do not know where we can look for this necessary balance in our favour, if we cannot obtain it from our American colonies. But, to obtain it from thence, requires a management very different from what we have adopted of late years. We must encourage our trade with them, instead of forcing them into manufactures of their own, or, to smuggling in foreign manufactures. For this purpose, it will be more politic to grant bounties upon our manufactures exported thither, than to lay duties upon them, especially if that can enable them to vend our manufactures in those markets where they can have money for them in return. As manufacture is but a new thing with them, theirs cannot yet come cheap enough to vie with ours. If they can, I must acknowledge that this advice comes too late, and can only lament that our managers never thought of the evil before.

It is also absolutely necessary, in order to restore that harmony between us upon which the life and spirit of trade depends, that the Americans should be fully convinced in their own minds, that their property is not in danger by their connection with us. Stopping their mouths by force, cannot prevent their thoughts, or reconcile their minds to us again. —Let us by all means avoid gratifying our pride, at the expence of our safety and prosperity.

If it should be asked, What good do you expect from all this? *I answer*, I am sorry to find myself obliged to say—*Very little*; until we shall change hands with a view to change our measures. But, when that may be expected, I know not.

We have acted through the whole of this dispute as absurdly, as if God almighty had, for the sin of our covetousness, been wroth with us, and given us up to the spirit of delusion.

delusion. Our last hope is, that there may yet be left virtue enough in the nation to save us. If there be, providence will again appear our friend, and rescue us from the threatening danger. If there be not, we must, from his wisdom and goodness, expect so much distress as shall be necessary to reduce us to our senses, and to bring us in subjection to him and his truth.

#### HAMPDEN.

**P. S.** Those gentlemen, who abuse the Americans for their decent and spirited remonstrances in behalf of their natural rights and property, act very consistently with themselves, in pleading for the necessity of the *military's* intruding upon the province of the *civil* power here; and in vindicating the boldest attacks upon the constitution and liberties of Great Britain, which the *Butean ministers* have yet dared to attempt. When this is done without any lucrative view or connection, the man is rather to be pitied, than blamed. But, when this infatuation is the effect of that undue influence, no plea for it can be admitted.

As to those abandoned wretches, who have professedly sold themselves to work wickedness, all advice would be lost upon them. But, it is devoutly to be wished, that gentlemen of a more generous turn of mind, who have yet some virtue left to contend with their infirmities, would not join too hastily, and so sanguinely, in every ministerial cry. If these gentlemen themselves, their sons or daughters, their brothers or kinsmen, enjoy any place, pension, or lucrative emolument, by the grace of the *ministry*; I could wish they would in earnest examine their own hearts, and impartially answer themselves, whether these lucrative connections have not some influence upon their judgment. If they have, it will be absolutely necessary to divest themselves of this prejudice, before they can recover the true use of their understanding. This will require some pains; perhaps more than gentlemen of fortune, in general, are willing to put themselves to the trouble of; but, in the end, they will not find their labour lost. Otherwise, they themselves may live to lament the general depravity of the times, in which they have had their share; and to tremble at the hasty approach of that ruin, in which bribery and corruption have, without exception, involved the most powerful empires, that ever yet existed upon the face of this terraqueous globe; of whose grandeur we have at this day no traces remaining, except a few INSTRUCTIVE MONUMENTS of their DISSOLUTION, whose representations are exhibited under the title of, RUINS.—*Sat satis, si sat bene.*



## For the POLITICAL REGISTER.

*A letter to the author of the strictures on the conduct of a—, with respect to the civil and religious establishments in Canada, and the Granadines, in the Political Register, p. 257, vol. IV.*

S I R,

**M**Y particular thanks are due to you for the information you have given me with respect to the complexion of the times, and the measures pursued by an administration, whose conduct has excited universal discontent, and popular dissatisfaction. I take it for granted when I read of the discouragement of the zealous advocates for the protestant religion, which afforded the only sure protection for the liberties of mankind, that we cannot be far off from confirmed slavery. I hope however the timely alarm you have given will have its proper effect, and then even the present corrupt m—y will not presume to grant any further indulgences which are incompatible with our constitution. I really think there is the greatest injustice imaginable in exerting the penal laws against popery with rigour at home, and in Ireland, while we are granting the full exercise of the romish religion, to the detriment of the protestant cause, to a handful of new subjects, who had no right to expect any other concession than a free toleration of their religious worship.

A gentleman, Sir, of my particular acquaintance is just arrived from Quebec who was present when *Mr. Bryant*, bishop of that place for the roman catholics landed there, and he assures me that he saw him very cordially received by the governor. He further informs me that he always appears abroad with great pomp and ceremony, and has the superintendency of the monasteries and nunneries, as well as of the clergy; that he exercises vast power, and is held in far greater estimation than the governor himself, by whom however he is treated with great respect.

This information engaged me to turn to a paragraph in the London Chronicle of the 20th of September, 1766, in order to compare it with my friend's intelligence. It runs thus: "*Quebec*, on the 28th ult. at eleven at night arrived at this city, on board the *Commerce*, captain *Johnson*, *Mr. Briand*, bishop of Quebec for the roman catholics. On the day following, at five o'clock in the morning, the bells of all their churches announced his arrival to the whole city, which gave general satisfaction to all the Canadians. It was really affecting to see them congratulate each other wherever they met, and to hear them incessantly say to each other, "it is then true that we have a bishop, God hath taken pity on us." And to see them afterwards run in crowds to the parish church to see this bishop, whom they look upon as the support of

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their religion, and as a pledge of the king's paternal goodness to them. It is likely that this favour conferred on the Canadians will effectually attach them to the British government. It is also pleasing to them to have received upon this occasion the congratulations of several *persons of note of our nation*, who seemed to partake of their joy."

This paragraph was evidently drawn up by some roman catholic in the joy of his heart, who was willing to compliment the government on the happy effects of this mistaken measure. I heartily wish the friends of the protestant cause, had as much reason to rejoice at the state of their religion, but it is a melancholy truth, that on the contrary they have the greatest reason to weep over the neglect of it, which universally prevails at home and abroad. As a proof of this, I refer you to the sermon preached by Dr. Newton, bishop of Bristol, before the *incorporated society* for the propagation of the gospel in foreign parts, at Bow-church, on Friday Feb. 17, 1769, and to the abstract of the proceedings of the said society, annexed to the sermon. Two passages however I shall desire you to insert, and if it will not be attended with much inconvenience, I would entreat the favour of you to send a copy of your useful register, on this occasion, to each of the a—ps and b—ps, you will find most of them in the purlieus of the court, or at the heels of the D— of G—.

Extract from page 21 of the sermon — "The church of Rome glories in the zeal and number of her missionaries, who compass sea and land to make proselytes, and shall they be more diligent to propagate a *false christianity* than we the true? And if we totally neglect our colonies and plantations, will they not sink into barbarism and brutality, or become an easy prey to fanaticism, or *popery*, or infidelity, or atheism, or what not?"

And that the colonies and plantations are so neglected, notwithstanding the immense sums collected for propagating the gospel according to the protestant faith in foreign parts. And notwithstanding the rank, the known zeal, abilities and influence of my lords the bishops at court, we have a striking instance in page 19 of the abstract of the proceedings of the society.

*Canada*, A letter from the reverend Mr. Chalraud Delisle, chaplain to the garrison at Montreal, dated Sep. 30, 1767, brings the disagreeable account that the romish priests avail themselves greatly of the neglected state of the church of England in those parts, persuading the Canadians (who are most easy to be persuaded, being a most ignorant bigotted people, and

and entirely devoted to the priests, especially the jesuits) that we have not religion so much at heart as they, *being destitute of a decent place for public worship he is forced to perform it in the hospital chapel, &c.*

You will be pleased to observe, that the popish bishop got to Quebec in 1766, so that our protestant bishops whose concurrence must have been given to his going out at all, permitted him to settle in state and splendor at Quebec, but have not yet been able to spare out of their puny fortunes and salaries, or to prevail with the m——y to assist them with money to defray the expences of erecting a decent place for public worship for the protestants at Montreal.

The truth of the matter, Sir, is this, that if the bishops could succeed in the plan of extending the church hierarchy, by episcopising America, in that good old cause, they would expend a round sum, but as to the real intent of pure religion, that must propagate itself, in a barn, a stable, an hospital, or what not. One word more, and then I will take my leave for this time.

I am told that Mr. Bryant actually applied to our government for a salary to be annexed to his bishoprick of Quebec. I should be glad if our bishops would inform us how that matter ended. It would have been too glaring an encouragement to popery, to have paid a romish bishop, even B——e himself, as much a friend as he is to the papists, would not have ventured on so bold a stroke. But how does this bishop maintain his pompous station? I hope no private allowance is remitted him from hence. If you can get any intelligence on this head, pray communicate it to the public and to Sir,

Your humble Servant,

Norwich, July 18, 1769.

WATCH-WELL.

*On the Expulsion of Mr. Wilkes, and the Admission of Colonel Luttrell as sitting Member for the County of Middlesex.*

A GREAT deal of useless argument might have been saved, in the political contest, which has arisen upon the expulsion of Mr. Wilkes, and the subsequent appointment of Mr. Luttrell, if the question had been once stated with precision, to the satisfaction of each party, and clearly understood by them both. But in this, as in almost every other dispute, it usually happens that much time is lost in referring to a multitude of cases and precedents, which prove nothing to the purpose, or in maintaining propositions, which are either not disputed, or, whether they be admitted or denied, are entirely indifferent as to the matter in debate; until at last the mind, perplexed and confounded with the endless

subtleties of controversy, loses sight of the main question, and never arrives at truth. Both parties in the dispute are apt enough to practice these dishonest artifices. The man, who is conscious of the weakness of his cause, is interested in concealing it; and on the other side it is not uncommon to see a good cause mangled by advocates, who do not know the real strength of it.

I should be glad to know, for instance, to what purpose, in the present case, so many precedents have been produced, to prove that the house of commons have a right to expel one of their own members;—that it belongs to them to judge of the validity of elections;—or that the law of parliament is part of the law of the land. After all these propositions are admitted, Mr. Luttrell's right to his seat will continue to be just as disputable as it was before. Not one of them is at present in agitation. Let it be admitted that the house of commons were authorised to expel Mr. Wilkes;—that they are the proper court to judge of elections;—and that the law of parliament is binding upon the people. Still it remains to be enquired, whether the house, by their resolution in favour of Mr. Luttrell, have or have not truly declared that law. To facilitate this enquiry, I would have the question cleared of all foreign or indifferent matter. The following state of it will probably be thought a fair one by both parties; and then I imagine there is no gentleman in this country, who will not be capable of forming a judicious and true opinion upon it. I take the question to be strictly this: *Whether or not it be the known established law of parliament, that the expulsion of a member of the house of commons of itself creates in him such an incapacity to be re-elected, that, at a subsequent election, any votes given to him are null and void, and that any other candidate, who, except the person expelled, has the greatest number of votes, ought to be the sitting member?*

To prove that the affirmative is the law of parliament, I apprehend it is not sufficient for the present house of commons to declare it to be so. We may shut our eyes indeed to the dangerous consequences of suffering one branch of the legislature to declare new laws, without argument or example, and it may perhaps be prudent enough to submit to authority; but a mere assertion will never convince---much less will it be thought reasonable to prove the right by the fact itself. The ministry have not yet pretended to such a tyranny over our minds. To support the affirmative fairly, it will either be necessary to produce some statute, in which that positive provision shall have been made, that specific disability clearly created, and the consequences of it declared;

or

or if there be no such statute, the custom of parliament must then be referred to, and some case or cases, strictly in point, must be produced, with the decision of the court upon them; for I readily admit that the custom of parliament, once clearly proved, is equally binding with the common and statute law.

The consideration of what may be reasonable or unreasonable, makes no part of this question. We are enquiring what the law is, not what it ought to be. Reason may be applied to shew the impropriety or expedience of a law, but we must have either statute or precedent to prove the existence of it. At the same time, I do not mean to admit that the late resolution of the house of commons is defensible on general principles of reason, any more than law. This is not the hinge on which the debate turns.

Supposing therefore that I have laid down an accurate state of the question, I will venture to affirm, 1st, That there is no statute existing, by which that specific disability, which we speak of, is created. If there be, let it be produced. The argument will then be at an end.

2dly, That there is no precedent in all the proceedings of the house of commons; which comes entirely home to the present case, viz. *Where an expelled member has been returned again, and another candidate, with an inferior number of votes, has been declared the sitting member.* If there be such a precedent, let it be given to us plainly, and I am sure it will have more weight than all the cunning arguments, which have been drawn from inferences and probabilities.

The ministry, in that laborious pamphlet, which, I presume, contains the whole strength of the party, have declared, "That Mr. Walpole's was the first and only instance, in which the electors of any county or borough had returned a person expelled to serve in the same parliament." It is not possible to conceive a case more exactly in point. Mr. Walpole was expelled, and having a majority of votes at the next election, was returned again. The friends of Mr. Taylor, a candidate set up by the ministry, petitioned the house that he might be the sitting member. Thus far the circumstances tally exactly, except that our house of commons saved Mr. Luttrell the trouble of petitioning. The point of law however was the same. It came regularly before the house, and it was their business to determine upon it. They did determine it, for they declared Mr. Taylor *not duly elected*. If it be said that they meant this resolution as matter of favour and indulgence to the borough which had retorted  
Mr.

Mr. Walpole upon them, in order that the burgesſes, knowing what the law was, might correct their error, I answer,

I. That it is a ſtrange way of arguing to oppoſe a ſuppoſition, which no man can prove, to a fact which proves itſelf.

II. That if this were the intention of the houſe of commons, it muſt have defeated itſelf. The burgesſes of Lynn could never have known their error, much leſs could they have corrected it, by any inſtruction they received from the proceedings of the houſe of commons. They might, perhaps, have foreſeen, that if they returned Mr. Walpole again, he would again be rejected; but they never could infer, from a reſolution by which the candidate with the feweſt voices was declared *not duly elected*, that, at a future election, and in ſimilar circumſtances, the houſe of commons would reverse their reſolution, and receive the ſame candidate as duly elected, whom they had before rejected.

This, indeed, would have been a moſt extraordinary way of declaring the law of parliament, and what I preſume no man, whoſe underſtanding is not at croſs purpoſes with itſelf, could poſſibly underſtand.

If, in a caſe of this importance, I thought myſelf at liberty to argue from ſuppoſitions rather than from facts, I think the probability, in this caſe, is directly the reverse of what the miniſtry affirm; and that it is much more likely that the houſe of commons at that time would rather have ſtrained a point in favour of Mr. Taylor, than that they would have violated the law of parliament, and robbed Mr. Taylor of a right legally veſted in him, to gratify a refractory borough, which, in defiance of them, had returned a perſon branded with the ſtrongeſt mark of the diſpleaſure of the houſe.

But really, Sir, this way of talking, for I cannot call it argument, is a mockery of the common underſtanding of the nation, too groſs to be endured. Our deareſt intereſts are at ſtake. An attempt has been made, not merely to rob a ſingle county of its rights, but, by inevitable conſequence, to alter the conſtitution of the houſe of commons. This fatal attempt has ſucceeded, and ſtands as a precedent recorded for ever. If the miniſtry are unable to defend their cauſe, by fair argument founded on facts, let them ſpare us at leaſt the mortification of being amuſed and deluded like children. I believe there is yet a ſpirit of reſiſtance in this country, which will not ſubmit to be oppreſſed; but I am ſure there is a fund of good ſenſe in this country, which cannot be deceived.

J U N I U S.

*To his Grace the D— of G—.*

MY LORD,

**I**F nature had given you an understanding qualified to keep pace with the wishes and principles of your heart, she would have made you, perhaps, the most formidable minister that ever was employed, under a limited monarch, to accomplish the ruin of a free people. When neither the feelings of shame, the reproaches of conscience, nor the dread of punishment, form any bar to the designs of a minister, the people would have too much reason to lament their condition, if they did not find some resource in the weakness of his understanding. We owe it to the bounty of providence, that the completest depravity of the heart is sometimes strangely united with a confusion of the mind, which counter-acts the most favourite principle, and makes the same man treacherous without art, and a hypocrite without deceiving. The measures, for instance, in which your grace's activity has been chiefly exerted, as they were adopted without skill, should have been conducted with more than common dexterity. But truly, my lord, the execution has been as gross as the design. By one decisive step you have defeated all the arts of writing. You have fairly confounded the intrigues of opposition, and silenced the clamours of faction. A dark, ambiguous system might require and furnish the materials of ingenious illustration, and in doubtful measures the virulent exaggeration of party must be employed to rouse and engage the passions of the people. You have now brought the merits of your administration to an issue, on which every Englishman, of the narrowest capacity, may determine for himself. It is not an alarm to the passions, but a calm appeal to the judgment of the people upon their own most essential interests. A more experienced minister would not have hazarded a direct invasion of the first principles of the constitution, before he had made some progress in subduing the spirit of the people. With such a cause as your's, my lord, it is not sufficient that you have the court at your devotion, unless you can find means to intimidate or corrupt the jury. The collective body of the people form that jury, and from their decision there is but one appeal.

Whether you have talents to support you at a crisis of such difficulty and danger, should long since have been considered. Judging truly of your disposition, you have, perhaps, mistaken the extent of your capacity. Good faith and folly have so long been received for synonymous terms, that the reverse of the proposition has grown into credit, and every villain fancies himself a man of abilities. It is the apprehension of your friends, my lord, that you have drawn some hasty conclusion of this sort, and that a partial reliance upon your moral character has betrayed you beyond the depth of your understanding. You have now carried things too far to retreat. You have plainly declared to the people what they are to expect from the continuance of your administration.

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It is time for your grace to consider what you also may expect in return from *their* spirit and *their* resentment.

Since the accession of our most gracious sovereign to the throne, we have seen a system of government, which may well be called a reign of experiments. Parties of all denominations have been employed and dismissed. The advice of the ablest men in this country has been repeatedly called for and rejected; and when the royal displeasure has been signified to a minister, the marks of it have usually been proportioned to his abilities and integrity. The spirit of the FAVOURITE has had some apparent influence upon every administration; and every set of ministers preserved an appearance of duration, as long as they submitted to that influence. But there were certain services to be performed for the favourite's security, or to gratify his resentments, which your predecessors in office had the wisdom or the virtue not to undertake. The moment this refractory spirit was discovered, their disgrace was determined. Lord Chatham, Mr. Grenville, and Lord Rockingham, have successively had the honour to be dismissed, for preferring their duty, as servants of the public, to those compliances, which were expected from their station. A submissive administration was at last gradually collected from the deserters of all parties, interests and connexions; and nothing remained but to find a leader for these gallant, well-disciplined troops. Stand forth, my lord, for thou art the man. Lord Bute found no resource of dependence or security in the proud imposing superiority of Lord Chatham's abilities, the shrewd, inflexible judgment of Mr. Grenville, nor in the mild, but determined, integrity of Lord Rockingham. His views and situation required a creature void of all these properties; and he was forced to go through every division, resolution, composition and refinement of political chymistry, before he happily arrived at the caput mortuum of vitriol in your grace. Flat and insipid in your retired state, but brought into action you become vitriol again. Such are the extremes of alternate indolence or fury, which have governed your whole administration. Your circumstances with regard to the people soon becoming desperate, like other honest servants, you determined to involve the best of masters in the same difficulties with yourself. We owe it to your grace's well-directed labours, that your sovereign has been persuaded to doubt of the affections of his subjects, and the people to suspect the virtues of the sovereign, at a time when both were unquestionable. You have degraded the royal dignity into a base, dishonourable competition with Mr. Wilkes, nor had you abilities to carry even this last contemptible triumph over a private man, without the grossest violation of the fundamental laws of the constitution and rights of the people. But these are rights, my lord, which you can no more annihilate, than you can the soil to which they are annexed. The question no longer turns upon points of national honour and security abroad, or on the degrees of experience and propriety of measures

at



at home. It was not inconsistent that you should abandon the cause of liberty in another country, which you had persecuted in your own; and in the common arts of domestic corruption, we miss no part of Sir Robert Walpole's system, except his abilities. In this humble, imitative line you might have proceeded, safe and contemptible. You might probably never have risen to the dignity of being hated, and you might even have been despised with moderation. But it seems you meant to be distinguished; and to a mind like your's, there was no other road to fame, but by the destruction of a noble fabric, which you thought had been too long the admiration of mankind. The use you have lately made of the military force introduced an alarming change in the mode of executing the laws. The arbitrary appointment of Mr. Luttrell invades the foundation of the laws themselves, as it manifestly transfers the right of legislation from those whom the people have chosen, to those whom they have rejected. With a succession of such appointments, we may soon see a H—e of C——s collected, in the choice of which the other towns and counties of England will have as little share as the devoted county of Middlesex.

Yet I trust your grace will find, that the people of this country are neither to be intimidated by violent measures, nor deceived by refinements. When they see Mr. Luttrell seated in the house of commons by mere dint of power, and in direct opposition to the choice of a whole county, they will not listen to those subtleties, by which every arbitrary exertion of authority is explained into the law and privilege of parliament. It requires no persuasion of argument, but simply the evidence of the senses to convince them, that to transfer the right of election from the collective to the representative body of the people, contradicts all those ideas of a house of commons, which they have received from their forefathers, and which they already, though vainly perhaps, delivered to their children. The principles, on which this violent measure has been defended, have added scorn to injury, and forced us to feel, that we are not only oppressed but insulted.

With what force, my lord, with what protection are you prepared to meet the united detestation of the people of England? The city of London has given a generous example to the kingdom, in what manner a king of this country ought to be addressed; and I fancy, my lord, it is not yet in your courage to stand between your sovereign and the addressees of his subjects. The injuries you have done this country are such as demand not only redress, but vengeance. In vain you look for protection to that venal vote, which you have already paid for; another must be purchased; and, to save a minister, the h—e of C——, must declare themselves not only independent of their constituents, but the determined enemies of the constitution. Consider, my lord, whether this be an extremity, to which they

fears will permit them to advance ; or, if their protection should fail you, how far you are authorized to rely upon the sincerity of those smiles, which a pious court lavishes without reluctance upon a libertine by profession. It is not, indeed, the least of the thousand contradictions which attend you, that a man, marked to the world by the grossest violation of all ceremony and decorum, should be the first servant of a court, in which prayers are morality, and kneeling is religion. Trust not too far to appearances, by which your predecessors have been deceived, though they have not been injured. Even the best of princes may at last discover, that this is a contention, in which every thing may be lost, but nothing can be gained ; and as you became minister by accident, were adopted without choice, trusted without confidence, and continued without favour, be assured that, whenever an occasion presents, you will be discarded without even the forms of regret. You will then have reason to be thankful, if you are permitted to retire to that seat of learning, which, in contemplation of the system of your life, the comparative purity of your manners with those of your high steward, and a thousand other recommending circumstances, has chosen you to encourage the growing virtue of their youth, and to preside over their education. Whenever the spirit of distributing prebends and bishoprics shall have departed from you, you will find that learned seminary perfectly recovered from the delirium of an installation, and, what in truth it ought to be, once more a peaceful scene of slumber and meditation. The venerable tutors of the university will no longer distress your modesty, by proposing you for a pattern to their pupils. The learned dulness of declamation will be silent ; and even the venal muse, though happiest in fiction, will forget your virtues. Yet, for the benefit of the succeeding age, I could wish that your retreat might be deferred until your morals shall happily be ripened to that maturity of corruption, at which, philosophers tell us, the worst examples cease to be contagious.

I U N I U S.

*A Letter from Mr. Wilkes to Mr. John Churchill, brother of the celebrated Mr. Charles Churchill.*

Written when the report had gained credit of a vacancy for the city of Westminster, by the death of the right honourable lord Sandys, whose eldest son is one of the representatives for that city. His lordship being still living, no vacancy has happened.

**I** B E G the favour of you, my dear sir, to return my best thanks to the friends of liberty in Westminster, who have so handsomely offered me their service on the present vacancy for that city. I wish you to be quite explicit on the occasion, and to declare it in my name, that I think it my duty to decline the honour intended me.

I am.

I am now as much a member of the house of commons as the speaker himself. The only difference I can find out is, I represent the first county in England, he a small borough in Lincolnshire; I am a knight of the shire, he is a simple burgess. At this time I am actually supporting, as far as I can, the right of representation of my worthy constituents, and of every elector in the island, which is violated in my pretended expulsion. I will pursue with unwearied zeal so a great a cause. I hold myself still the colleague of Mr. serjeant Glynn, because we were both chosen by a majority of the freeholders of the county of Middlesex. I am besides determined not to vacate my seat in parliament, and therefore I cannot be in the capacity of receiving such obliging marks of regard from our Westminster friends, whom I much esteem, but cannot represent. I have taken my resolution, which you know is always very decisive. I will never sit in parliament but by the favour and free choice of the freeholders of Middlesex. No political changes, nor any consideration whatever shall induce me to quit the particular service of my present worthy constituents. They have under the most trying circumstances supported me with unparalleled firmness and generosity. I am theirs for life from every principle of honour and gratitude.

Believe me ever your most affectionate,

and obliged humble servant,

JOHN WILKES.

*Copy of a Letter from George Onslow, Esq; to John Wilkes, Esq;*

Ember-court; Sept. 21, 1765.

My dear old friend,

HAVING been most shamefully silent to you during the remainder of an opposition, which did honour to every man concerned in it, and to the credit of which you so much contributed, I now begin my correspondence with you, at my first entering into office with and under an administration, whose principles, I hope and believe, will authorize your giving equal support to, in their very different situation. If they did not, as I know they do, revere and hold sacred those *sentiments* they avowed during the two last years, and in abhorrence those vile and detestable ones of persecution and injustice, which the public were so injured in, in your person, I should be ashamed, of what I am now proud of—bearing the small share I do among them.—*Public* marks of this, as well as *private* ones I hope will soon take place.

Honest Humphry has dined with me here to-day, and we have just drank your health, as we have often done. Honest as he is, I never felt him more so, than your last letter to him, which he has just now shewed me, has made him appear to me, in having done justice to my very sincere and constant regards to and ad-

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miration of you. Every word of this letter of your's, (dated the 26th of August of Geneva) I subscribe to, and think and persuade myself the completion of our patriot, not selfish wishes (for such they are not) will soon appear among many other proofs of integrity, steadiness, and virtue, in the present ministry, and of their being as inimical as ever to those whom they have been opposing, for having acted contrary to all these principles.

Your friend Mrs. Onslow has been enjoying with us in infinite mirth your last specimen of notes on different parts of great Churchill's works, viz. Hogarth, Talbot, and the scoundrel bishop. They are specimens, indeed, of your amazing wit and abilities; and when he has more of them, he has promised me a copy.

Believe me, my dear John, your mentioning me as you do, gratifies my pride, as it will always do to shew myself your friend and humble servant, I was always so as a public and as a private man. Our good friend Humphry and I are at this moment in your service, and from us both shall soon hear, particularly as to the contents of your letter of the 26th. I beg you to believe that I most truly and affectionately am, your faithful humble servant,

GEORGE ONSLOW.

Postscript. Postpone your judgment, till you hear again from me, on what I lament as much as you can do, and think of as you do—Mr. Pitt and Lord Temple's being not in employment.

*La vrai science au jeu est de sçavoir écarter—la plus basse de la couleur, qui tourne, vaut mieux que la plus haute de la partie precedente.*

L'homme de cour de BALTHASAR GRATIAN, nouvelle impression, imprimée à Ep'som, 1769, par Monsieur G—e O——w.

PETITION of the LIVERY of LONDON, and an Account of the Delivery of it.

**A** GREABLE to the resolutions taken at Guildhall on Saturday June 24th, for which see page 49 of our last number, on Wednesday July 5th. The right honourable Samuel Turner, Esq; lord mayor; Sir Robert Ladbroke; Mr. Alderman Beckford, and Mr. Alderman Trecothick, together with the sheriffs, accompanied by Peter Roberts, Esq; the city's remembrancer, waited upon his majesty at St. James's, and being introduced to his majesty by the right honourable the earl Orford, the lord in waiting; the Lord mayor addressed his majesty to the following effect,.

*Most gracious Sovereign,*

We the lord mayor, the representatives in parliament, together with the sheriffs of your majesty's ancient and loyal city of London, presume to approach your royal person, and beg leave to present with all humility to your majesty, the dutiful and most humble petition of your majesty's faithful and loyal subjects the  
livery

livery of London, in common-hall assembled, complaining of grievances; and from your majesty's unbounded goodness and paternal regard and affection for all your subjects, they humbly presume to hope, that your majesty will graciously condescend to listen to their just complaints, and to grant them such relief as in your majesty's honour, wisdom and justice shall seem meet.

After which his lordship had the honour of presenting the said petition to his majesty; which was graciously received, and is as follows;

To the KING's most excellent Majesty;

The humble Petition of the Livery of the City of London, in Common-hall assembled.

*Most gracious Sovereign,*

WE your majesty's dutiful and loyal subjects, the livery of the city of London, with all the humility which is due from free subjects to their lawful sovereign, but with all the anxiety which the sense of the present oppressions, and the just dread of future mischiefs produce in our minds, beg leave to lay before your majesty some of those intolerable grievances which your people have suffered from the evil conduct of those who have been intrusted with the administration of your majesty's government; and from the secret unremitting influence of the worst of counsellors.

We should be wanting in our duty to your majesty, as well to ourselves and our posterity, should we forbear to represent to the throne the desperate attempts which have been, and are too successfully, made, to destroy that constitution, to the spirit of which we owe the relation which subsists between your majesty and the subjects of these realms, and to subvert those sacred laws which our ancestors have sealed with their blood.

Your ministers, from corrupt principles, and in violation of every duty, have, by various enumerated means, invaded our invaluable and unalienable right of trial by jury

They have, with impunity, issued general warrants, and violently seized persons and private papers.

They have rendered the laws non-effective to our security, by evading the Habeas Corpus.

They have caused punishments, and even perpetual imprisonment, to be inflicted, without trial, conviction, or sentence.

They have brought into disrepute, the civil magistracy, by the appointment of persons who are, in many respects, unqualified for that important trust, and have thereby purposely furnished a pretence for calling in the aid of a military power.

They avow, and endeavour to establish, a maxim, absolutely inconsistent with our constitution;—that “an occasion for effectually employing a military force, always presents itself, when the civil power is trifled with or insulted;” and, by a fatal and false application of this maxim, they have wantonly and wickedly sacrificed the lives of many of your majesty's innocent subjects, and have prostituted your majesty's sacred name and authority,

ty, to justify, applaud, and recommend their own illegal and bloody actions.

They have screened more than one murderer from punishment, and in its place have unnaturally substituted reward.

They have established numberless unconstitutional regulations and taxations in our colonies. They have caused a revenue to be raised in some of them by prerogative. They have appointed civil law judges to try revenue causes, and to be paid from out of the condemnation-money.

After having insulted and defeated the law on different occasions, and by different contrivances, both at home and abroad they have at length completed their design by violently wresting from the people *the last sacred right we had left*, the right of election, by the unprecedented seating of a candidate notoriously set up and chosen only by themselves. They have thereby taken from your subjects all hopes of parliamentary redress, and have left us no resource, under God, but in your majesty.

All this they have been able to effect by corruption. By a scandalous misapplication and embezzlement of the public treasure, and a shameful prostitution of public honours and employments; procuring deficiencies of the civil list to be made good without examination; and, instead of punishing, conferring honours on a paymaster, the public defaulter of unaccounted millions.

From an unfeigned sense of the duty we owe to your majesty, and to our country, we have ventured thus humbly to lay before the throne these great and important truths, which it has been the business of your ministers to conceal. We most earnestly beseech your majesty to grant us redress. It is for the purpose of redress alone, and for such occasions as the present, that those great and extensive powers are intrusted to the crown by the wisdom of that constitution which your majesty's illustrious family was chosen to defend, and which we trust in God it will for ever continue to support.

*Various reports have been circulated concerning the reception of the Lord mayor at St. James's: among which, the following seems to have gained universal credit:*

That his lordship after waiting a short time in the anti-chamber sent in a message by the remembrancer, to the lord of the bed-chamber. He was desired by Mr. Pitt, groom of the bed-chamber, to deliver his message. The remembrancer answered, his business could only be delivered to the lord of the bed-chamber, and that his orders were to communicate it to none but his lordship. Soon after lord Huntington came out, and acquainted the lord mayor, that lord Orford was in waiting, that the levee was begun, and therefore he could not leave the king; but if they had any thing to present, they might walk into the levee. Mr. Beckford answered, they were there ready to obey the king's commands; and lord Huntington returned. After some time, lord Orford, the said lord in waiting, came out, and told them, that if they had any thing to deliver, they might walk into the levee,

levee, which they did, and the king being near the door, the lord mayor delivered the petition into his majesty's hand, and at the same time made a short speech suitable to the occasion. The king made no answer, but turned about to baron Dieden, the Danish minister, and delivered the petition to the lord in waiting.

*A concise Account of the Controversy that has been carried on in the public News-papers, owing to Lord Holland's applying to himself one of the Articles of Grievances contained in the Petition of the Livery of London to his Majesty.*

**L**ORD Holland imagining he was the pay master reflected on thought proper to write a letter to the right honourable the lord mayor, complaining of the injustice of the charge, and assuring him that Mr. alderman Beckford had papers in his possession which would acquit him of the imputation, also intimating that he should look upon the lord mayor to be responsible for this attack on his reputation as being the person who presented the petition to the king. The lord mayor in answer having informed lord Holland that he looked upon himself only as the carrier of the said petition, and not in the least accountable for any part of the contents; very severe censures have been thrown out against the apparent timidity of this worthy magistrate, which seems wholly undeserved, as a prosecution for a charge of so high a nature is a serious matter, and had not the lord mayor been extremely cautious in what he wrote, and taken care to avoid all responsibility for the contents of the petition, it cannot be doubted, that lord Holland's lawyers would have been ready to have seized on their prey. The public must finally acquit this very candid magistrate, when they see that lord Holland stands upon his defence, and is attempting to clear himself of the crime laid to his charge.

The reference made by lord Holland to papers in Mr. Beckford's possession produced the following letter in the news-papers from that gentleman ;

*An authentic Copy of a Letter received by a Liveryman of London.*

Dear Sir,

Fonthill, July 15, 1769.

" I am as much surprized as you seem to be, at seeing my name, and papers in my possession, appealed to by a noble lord. You and my friends in the city, think it incumbent on me to vindicate (as they are pleased to express themselves) my honour and character, which are called in question. The only proper satisfaction in my power to give you, and my other friends, is, to relate plain matters of fact, to the best of my recollection.

In the last sessions of parliament, on a question of revenue (as far as my memory serves) I did declare to the house, that the public revenue had been squandered away, and the money of the nation had not been regularly audited and accounted for ;

That in the department of the pay-office, I had been informed, there were upwards of 40 millions not properly accounted for : that  
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the officers of the king's exchequer, were bound in duty to see justice done to the public : that process had issued out of the exchequer ; and, that all proceedings for a certain time, had been suspended by the king's sign manual. I then did declare, that it was an high offence for any minister to advise the king to stop the course of public justice, without assigning a very good reason for such his advice. I desired the chancellor of the exchequer, and the lords of the treasury, who sat opposite to me, to set me right, if my information was not well founded ; but not a single word was uttered in answer, by any of the gentlemen in administration.

After some days had elapsed, I met my friend Mr. Woodhouse in Westminster-hall ; he told me, I had been misinformed as to what I had mentioned in the house of commons ; and that if I would give him leave, he would send me a paper from a noble lord, which would convince me of my mistake. The paper alluded to is in London ; I therefore cannot speak of the contents with accuracy and precision, but this I recollect, that the perusal of the paper did not convince me, that all I had heard was false. It was a private paper, and I do not recollect having shewn it to more than a single person. I have no doubt, Mr. Woodhouse has a copy of the paper by him, and I hope he will submit the contents to the judgment of the public, in vindication of an INNOCENT man.

I am, dear Sir,

Your ever faithful, and affectionate humble servant,  
WILL. BECKFORD.

Lord Holland, in consequence of this letter, has been pleased to give the public an account of the difficulties attending the making up his accounts, which, that we may do justice to his lordship, we insert, and we have this farther view in recording such authentic pieces, they may serve as references on similar subjects at future and far distant periods. How far his lordship has exculpated himself must be left to the decision of that public to whom he appeals ; but we cannot omit the demand of an anonymous writer in one of the papers—Let him pay the cash in his hand, it is the nation's money who want it and will demand it.

#### OBSERVATIONS on the Accounts of the PAYMASTER GENERAL.

**W**HY were Lord Holland's accounts, as paymaster-general, for the years 1757, 1758, and 1759, not delivered to the auditors, before the year 1768 ?

Answer.

THE paymaster general's officers being best acquainted with army accounts, are employed in making up the accounts of the preceding paymasters. The accounts of the earls of Chatham, Darlington and Kinnoul, and Mr. Potter, were made up by them



them, and regularly, and in due course, delivered to the auditors.

Great as the army and its expences were, during the last war, beyond all former example, dispersed in all quarters of the world ; and difficult, as it evidently must have been, to keep the accounts in any tolerable order ; it will be found, upon examination, that the accounts of Lord Holland, as paymaster general, are not farther back than those of his predecessors, and that his lordship's accounts are not kept back, as has been suggested, from inclination, but necessity.

The late Mr. Winnington's\* accounts, for two years and a half, from December 1743 to 24th of June 1746, were declared the 15th of May 1760. The earl of Chatham's accounts, for nine years and a half, from the 25th of June 1746 to the 24th of December 1755, are not yet declared. The earls of Darlington and Kinnoul, for the year 1756, and the earl of Kinnoul's and Mr. Potter's, for six months, to the 24th of June 1757, are now before the auditors. The accounts of Lord Holland, for the years 1757, 1758, and 1759 ; likewise the accounts of his deputies, attending the army in Germany, from the commencement to the end of the late war, are also before the auditors for their examination ; and his lordship's account for the year 1760, is almost ready to be delivered to them.

From the nature and extention of army accounts, it is most evident, to those that are best acquainted with them, that it is tedious and difficult to bring even regimental accounts to a final adjustment ; other parts of the accounts are more so. Lord Holland, in the course of the years 1759, 1760, 1761, 1762, 1763, and 1764, has paid to regiments and independent companies, 320391l. 9s. 11d ; whose accounts are, at this time, unadjusted, for want of proper authorities ; and till those authorities are obtained the auditor will not allow one shilling of said sum, in his lordship's accounts : to obtain these authorities, his lordship has often repeated his solicitations.

*What is the balance of cash in Lord Holland's hands ?*

Answer.

THE meaning of this question can be no other than, what savings are in Lord Holland's hands ? Or, in other words, How much has the expence, in any case, fallen short of the sum voted ?

As to the savings :—so far as the pay-office has been enabled to state the army accounts, they have been given into parliament.

From services that have fallen short of the sums voted, and from monies paid in by army accomptants, Lord Holland directed accounts to be made up and laid before the house of commons ; and accordingly (out of these savings in Lord Hol-

\* The same Mr. Winnington from whose *Apology for his Conduct in Parliament* some very remarkable extracts are made in the political essay beginning this number.

land's hand) parliament from time to time availed itself of the following sums, viz.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Voted in aid of extraordinaries, to Dec. 24, 1763,	239,966	1	4
Voted in the year 1761, in aid of German claims,	170,906	2	8
Voted in the year 1765, in aid of ditto service,	251,740	2	7
Voted in the year 1766, in aid of extraordinary services,	60,638	2	10
Voted in the year 1767, in aid of extraordinaries, and other services,	171,571	13	3
Voted in the year 1768, in aid of the supply	15,719	15	7
	<hr/> 910,541	<hr/> 18	<hr/> 3

His lordship could by no other means ascertain and give into parliament the savings on the votes for the army, but by the final adjustment of army accounts; what further savings may be, is very uncertain, as they cannot be known before the services are absolutely determined and closed.

His lordship is very sorry to say it, That in the years 1759, 1760, 1761, 1762, 1763, and 1764, there are not less than fifty-six regiments and companies, now standing open and unadjusted, for want of authorities; and in his ledgers there are accounts to a much greater extent, as the pay of staff officers, &c.

It may be seen here, that though Mr. Winnington died in April 1746; and his executor, Mr. Ingram used all possible industry to close his accounts, they could not be closed till 1760; fourteen years. The earl of Chatham went out in December 1755; yet are not his accounts closed till 1768; thirteen years. The earl of Kinnoul's are not closed yet, though he has been out of the office eleven years. Lord Holland has been out three years and a half: where is the wonder his are not closed?

If those who complain, will shew Lord Holland how he can proceed faster than he does, he will be very much obliged to them. Let it be observed, that he has before the auditors, already, accounts for more years than Mr. Winnington, or Lord Kinnoul had to account for.

**M E M O R I A L** for Lord Holland to have longer time to make up his accounts as late paymaster general.

*May it please your Lordships,*

**I** BEG leave to inform your lordships that a process is in the hands of the sheriffs of Middlesex against me to account to his majesty for the monies impressed to me as paymaster general of his majesty's forces.

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I most humbly apprehend that the regular ordinary course of accounting in the exchequer was calculated when established, for transactions at home, which are easily and readily to be collected and made up at short periods of time.

The accounts of the army when employed abroad particularly, must unavoidably be much in arrear from the nature of the service. The army payments are necessarily in arrear; and articles from accidents inevitably are obliged often to remain open a very long time before they can finally be closed.

The accounts of the last war are voluminous and difficult beyond example. The great variety of operations, and the very great distance of the troops, made, and must make, the correspondence, and adjusting those accounts with the paymaster and accountants attending them, very slow and tedious: these therefore will require longer time to make up both from their bulk and difficulty.

During the course of a war, the troops constantly changing and moving, and the service in the utmost hurry, it cannot then be done with the order and regularity absolutely necessary.

Since the war the utmost diligence has been used in them. The great intricate article of foreign expence, (viz. the German) has been got together for the whole time (which, after the former war, was several years about;) and one year and an half's general account is now made out and ready to be laid before the auditors; the rest will regularly be laid before them, as fast as it is possible to make them up. Though I have been two years out of employment, the payments for my time are not yet compleated.

I therefore pray your lordships will be pleased to obtain his majesty's warrant, granting me longer time for making up my accounts as paymaster general of his majesty's forces.

Which is, &c.

*Pay-Office, Horse Guards,  
25th June, 1767.*

H O L L A N D,

King's Warrant, Stay of Process against Lord Holland for six Months,

C O P Y.

G E O R G E R.

**W** H E R E A S our right trusty and well-beloved Henry Lord Holland, hath, by the annexed memorial, represented that from several unavoidable causes and difficulties, he hath been prevented making up his accounts as late paymaster general of our forces: and we having taken the said matter into our royal consideration, are graciously pleased to grant unto him a farther time for making up his accounts. Our will and pleasure therefore is, and we do hereby direct, authorise, and require you to cause all process against the said Henry Lord Holland, for his accounts, as late paymaster general of our forces, to be stayed, for and during the term of six months, computed from the day

of the date hereof. And for so doing this shall be your War-rant. Given at our court at St. James's the eighth day of July, 1767, in the seventh year of our reign.

By his Majesty's command,

GRAFTON,  
C. TOWNSHEND,  
THO. TOWNSHEND.

*To our right trusty and well-beloved  
Samuel Lord Marsham, our re-  
membrancer in our court of Ex-  
chequer.*

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*The following remarkable address of the general assembly of the colony of New-York, deservedly attracts the notice of all persons interested in the trade of that colony, on account of the governor's refusal to grant their request therein contained, which had it been complied with might have been the means of facilitating their remittances to Great-Britain.*

To his excellency Sir Henry Moore, Bart. captain-general and governor in chief in and over the colony of New-York, and over the territories depending thereon, in America, and chancellor and Vice admiral of the same.

The humble address of the general assembly of the said colony.

*May it please your excellency,*

**W**E his Majesty's most dutiful and loyal subjects, the general assembly of the colony of New-York, beg leave to represent to your excellency the great and absolute necessity there is in the present distressed condition of this colony, for your excellency's assenting to the bill entitled, "an act for emitting the sum of one hundred and twenty thousand pounds, in bills of credit, to be put on loan, and to appropriate the interest arising thereon to the payment of the debts of this colony, and to such exigencies as the circumstances of this colony may from time to time render necessary."

First, because in the present impoverished state of the colony, from the great scarcity of specie, and total want of a paper currency, a vast number of the inhabitants of the colony are under the necessity of selling their estates for half of their value; the trading part of the colony are unable to make remittances; the British merchants and manufacturers are prevented from receiving their just debts, and the general and other public officers of the army are obliged to negotiate their bills of exchange considerably below the usual par, which must greatly injure his Majesty's service in North America.

Secondly, because the acts passed for raising the necessary supplies for the payment of the salaries and services of the several officers of government have of late years, from the great decay of trade, fallen considerably short of answering those purposes, and thereby greatly increased the debts of the colony.

Thirdly, because from the great deficiency in the public funds the colony will be driven to the greatest distress, without this bill passes into a law, in making provision for such services as his Majesty may think necessary to require from us, as any additional burthens will fall very heavy on our constituents, already groaning under almost insuperable difficulties.

Fourthly, because we conceive the interest arising from this loan will be the easiest and most effectual method to enable us in our present necessitous circumstances to pay off the debts of the colony, and to provide a fund for future public exigencies, which cannot be appropriated in

in any other manner than by acts of the governor, council and general assembly.

These reasons we hope will have sufficient weight to induce your excellency to give your assent to this bill, so evidently calculated to promote the interest and encrease the trade of Great Britain, and relieve the distresses of the inhabitants of the colony.

By order of the general assembly,

Assembly Chamber, City of New  
York, May 22, 1769.

JOHN CRUGER, Speaker

We know of no answer to the above address but that the governor refused to pass the bill so earnestly solicited.

*Progress of CIVIL LIBERTY in the Colonies.*

To his excellency the Right Hon. Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same.

The humble address of the House of Burgesses.

My Lord,

*Williamsburgh, May 11, 1769.*

WE his majesty's most dutiful and loyal subjects, the Burgesses of Virginia, now met in general assembly, humbly beg leave to return your excellency our sincere and unfeigned thanks for your very affectionate speech at the opening of this session; and we do with the highest satisfaction and pleasure embrace this first opportunity which has been offered us, as well for ourselves as in behalf of all our constituents, to congratulate your excellency on your appointment to this government, and your safe and early arrival.

The assurances of the royal favour, communicated to us through your excellency, cannot but impress the heart of every Virginian with the most lively and indelible sentiments of duty and affection. Permit us then, my Lord, to renew our assurances to your excellency of our most cordial and inviolable attachment to his Majesty's sacred person and government, the real happiness and prosperity of which have ever been the grand leading objects of our warmest wishes.

His Majesty's gracious appointment of your lordship to so important a station, at the same time that it holds forth to the world the strongest evidence of your Lordship's exceeding merit, is a recent proof to us of his paternal affection for this his ancient and loyal colony.

We receive with equal pleasure and gratitude the intimation of his Majesty's gracious purpose, that his chief governors of Virginia shall in future reside within their government, as from hence we are persuaded that much honour and many signal advantages will redound to the Colony; and we do assure your lordship, with that sincerity which truth ought ever to inspire, that we esteem as a peculiar mark of the royal attention to our happiness, your lordship's appointment to preside over us, since we cannot but regard the display of so many virtues and abilities, during the short time of your residence here, as a sure presage, that wisdom and benevolence will eminently distinguish your lordship's administration.

As we shall ever participate even of his majesty's domestic felicity, we do very cordially congratulate your lordship as the immediate representative of the best of sovereigns on the late birth of a princess, an additional and endearing pledge to the British nation and all its connections; and it is with great pleasure we learn, that her Majesty and the royal infant are in perfect health.

It is an indispensable duty which we owe to our constituents, and which at present is strongly enforced by your lordship's recommendation and advice, that we should dispassionately, and with the greatest candour, consider the important business upon which we are now assembled; and we beg leave to assure your excellency, that if in the course of our

deliberations any matters should arise which may in any sort affect Great Britain, they shall be discussed on this ruling principle, that both our interests are inseparably the same.

It only remains, my lord, for us to offer up our most fervent prayers to that supreme being, the sovereign dispenser of every good and perfect gift, beseeching him to inspire your lordship with all wisdom, and that his majesty will long continue you the happy ruler of a free and happy people.

To which his excellency was pleased to return the following answer :

*Mr. Speaker and Gentlemen of the House of Burgesses.*

**I** Cordially pray for that wisdom which you have kindly implored the almighty to grant me.

My situation calls for it, and the people of Virginia have a right to expect it.

When my gracious master ordered me here, he commanded me to do justice, and to maintain the rights of all his subjects : I joyfully accepted the glorious command, and in the execution of it will exert that honest zeal which all good men will approve.

His Majesty shall be fully informed of your expressions of gratitude, loyalty and attachment to his sacred person and government, and shall be told of your kindness to me.

**RESOLVES** of the House of Burgesses passed the 16th of May, 1769.

*Resolved, Nem. Con.* **T**HAT the sole right of imposing taxes on the inhabitants of this his Majesty's colony and dominion of

Virginia is now, and ever hath been, legally and constitutionally vested in the house of burgesses, lawfully convened according to the ancient and established practice with the consent of the council, and of his Majesty, the king of Great Britain, or his governor for the time being.

*Resolved, Nem. Con.* That it is the undoubted privilege of the inhabitants of this colony, to petition their sovereign for redress of grievances ; and that it is lawful and expedient to procure the concurrence of his Majesty's other colonies in dutiful addresses, praying the royal interposition in favour of the violated rights of America.

*Resolved, Nem. Con.* That all trials for treason, misprision of treason, or for any felony or crime whatsoever committed and done in this his majesty's said colony and dominion by any person or persons residing therein, ought of right to be held, and conducted in and before his Majesty's courts, held within his said colony, according to the fixed and known course of proceeding : and that the seizing any person or persons residing in this colony, suspected of any crime whatsoever committed therein, and sending such person or persons to places beyond the sea to be tried, is highly derogatory of the rights of British subjects, as thereby the inestimable privilege of being tried by a jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trial, will be taken away from the party accused.

*Resolved, Nem. Con.* That an humble, dutiful and loyal address be presented to his Majesty, to assure him of our inviolable attachment to his sacred person and government, and to beseech his royal interposition, as the father of all his people, however remote from the seat of his empire, to quiet the minds of his loyal subjects of this colony, and to avert from them those dangers and miseries which will ensue from the seizing and carrying beyond sea any person residing in America, suspected of any crime whatsoever, to be tried in any other manner than by the antient and long established course of proceeding.

The following Order is likewise in their Journal of that Date.

Ordered, That the speaker of this house do transmit, without delay, to the speakers of the several houses of assembly on this continent, a copy

of the resolutions now agreed to by this house, requesting their concurrence therein.

The following is an address to his Majesty, in their Journal of the day after.

To the KING's most excellent Majesty.

The humble address of his dutiful and loyal subjects the house of burgesses of his Majesty's ancient colony of Virginia, met in general assembly.

May it please your Majesty,

**WE** your Majesty's most loyal, dutiful, and affectionate subjects, the house of Burgesses of this your Majesty's antient colony of Virginia, now met in general assembly, beg leave, in the humblest manner, to assure your Majesty that your faithful subjects of this colony, ever distinguished by their loyalty and firm attachment to your Majesty and your royal ancestors, far from countenancing traitors, treasons, or misprision of treasons, are ready at any time to sacrifice our lives and fortunes in defence of your Majesty's sacred person and government.

It is with the deepest concern and most heart-felt grief that your Majesty's dutiful subjects of this colony find that their loyalty hath been traduced, and that those measures which a just regard for the British constitution (dearer to them than life) made necessary duties, have been misrepresented as rebellious attacks upon your Majesty's government.

When we consider that by the established laws and constitution of this colony the most ample provision is made for apprehending and punishing all those who shall dare to engage in any treasonable practices against your majesty, or disturb the tranquility of government, we cannot without horror think of the new, unusual, and permit us, with all humility to add, unconstitutional and illegal mode, recommended to your majesty, of seizing and carrying beyond sea the inhabitants of America suspected of any crime, and of trying such persons in any other manner than by the ancient and long established course of proceeding; for how truly deplorable must be the case of a wretched American, who, having incurred the displeasure of any one in power, is dragged from his native home and his dearest domestic connections, thrown into a prison, not to await his trial before a court, jury, or judges, from a knowledge of whom he is encouraged to hope for speedy justice, but to exchange his imprisonment in his own country for fetters among strangers: Conveyed to a distant land, where no friend, no relation, will alleviate his distresses or minister to his necessities, and where no witness can be found to testify his innocence, shunned by the reputable and honest, and consigned to the society and converse of the wretched and the abandoned, he can only pray that he may soon end his misery with his life.

Truly alarmed at the fatal tendency of these pernicious counsels, and with hearts filled with anguish by such dangerous invasions of our dearest privileges, we presume to prostrate ourselves at the foot of your royal throne, beseeching your majesty, as our king and father, to avert from your faithful and loyal subjects of America those miseries which must necessarily be the consequence of such measures.

After expressing our firm confidence in your royal wisdom and goodness, permit us to assure your Majesty that the most fervent prayers of your people of this colony are daily addressed to the almighty that your Majesty's reign may be long and prosperous over Great Britain and all your dominions; and that after death your Majesty may taste the fullest fruition of eternal bliss, and that a descendant of your illustrious house may reign over the extended British empire until time shall be no more.

The following order follows the address.

Ordered, That Mr. Speaker do transmit the said address to the agent for this colony, with directions to cause the same to be presented to his

most

most excellent Majesty, and afterwards to be printed and published in the English papers.

W E D N E S D A Y MAY 17.

**Y**esterday at twelve o'clock, his excellency the governor went to the capitol, and having sent a message by Mr. Walthoe to the honourable the speaker and house of Burgesses, commanding their immediate attendance in the council chamber, which they instantly obeyed; he spoke to them as follows :

Mr. Speaker, and Gentlemen of the House of Burgesses.

**I** Have heard of your resolves, and *augur* ill of their effects, you have made it my duty to dissolve you, and you are dissolved accordingly.

W E D N E S D A Y MAY 17.

**T**HE late representatives of the people then judging it necessary that some measures should be taken in their distressed situation, for preserving the true and essential interests of the colony, resolved upon a meeting for that very salutary purpose, and therefore immediately, with the greatest order and decorum; repaired to the house of Mr. Anthony Hay in this city, where being assembled, it was first proposed, for the more decent and regular discussion of such matters as might be taken into consideration, that a moderator should be appointed, and on the question being put, Peyton Randolph, Esq; late speaker of the house of Burgesses, was unanimously elected.

The true state of the colony being then opened and fully explained, and it being proposed that a regular association should be formed, a committee was appointed to prepare the necessary and most proper regulations for that purpose, and they were ordered to make their report, to the general meeting the next day at ten o'clock.

T H U R S D A Y MAY 18.

**A**T a further meeting, according to adjournment, the committee appointed yesterday made their report, which being seriously considered and approved, was signed by a great number of the principal gentlemen of the colony then present, and is as follows :

**W**E your Majesty's most dutiful subjects, the late representatives of the freeholders of the colony of Virginia, avowing our inviolable and unshaken fidelity and loyalty to our most gracious sovereign, our affection for all our fellow-subjects of Great Britain ; protesting against every act or thing which may have the most distant tendency to interrupt, or in any wise disturb his majesty's peace, and the good order of his government in this colony, which we are resolved, at the risk of our lives and fortunes, to maintain and defend; but, at the same time, being deeply affected with the grievances and distresses, with which his Majesty's American subjects are oppressed, and dreading the evils, which threaten the ruin of ourselves and our posterity, by reducing us from a free and happy people to a wretched and miserable state of slavery, and having taken into our most serious consideration the present state of the trade of this colony, and of the American commerce in general, observe with anxiety, that the debt due to Great Britain for goods imported from thence is very great, and that the means of paying this debt, in the present situation of affairs, are likely to become more and more precarious : that the difficulties, under which we now labour, are owing to the restrictions, prohibitions and ill advised regulations, in several late acts of parliament of Great Britain, in particular, that the late unconstitutional act, imposing duties on tea, paper, glass, &c. for the sole purpose of raising a revenue in America, is injurious to property, and destructive to liberty, hath a

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necessary tendency to prevent the payment of the debt due from this colony to Great Britain, and is, of consequence, ruinous to trade ; that notwithstanding the many earnest applications already made, there is little reason to expect a redress of those grievances : Therefore in justice to ourselves and our posterity, as well as to the traders of Great-Britain concerned in the American commerce, we, the subscribers, have voluntarily and unanimously entered into the following resolutions, in hopes that our example will induce the good people of this colony to be frugal in the use and consumption of British manufactures, and that the merchants and manufacturers of Great Britain may, from motives of interest, friendship, and justice, be engaged to exert themselves to obtain for us a redress of those grievances, under which the trade and inhabitants of America at present labour ; we do therefore most earnestly recommend this our association to the serious attention of all gentlemen, merchants, traders, and other inhabitants of this colony, in hopes that they will very readily and cordially accede thereto.

\*† The articles of agreement entered into by this association contain in general several commercial regulations designed to operate as sumptuary laws, to promote and encourage industry and frugality ; and to discourage all manner of luxury and extravagance. The commodities which they agree not to import from Great Britain, till the duties they complain of are repealed being nearly the same as those prohibited formerly by the association at Boston ; and the whole tenour of the agreement being of the same nature, we need not trouble our readers with a recital of each particular article.

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The spirited Address of the House of Representatives of Boston to Governor Bernard, with their resolutions, May 31, 1769.

May it please your excellency.

**T**HE great and general court of assembly of this province, being once more convened by virtue of the authority vested in you by his majesty, and according to the royal charter, the house of representatives think it their indispensable duty, under the present aspect of affairs in the province, on their part to claim that constitutional freedom which is the right of this assembly, and is of equal importance with its existence.

We take this opportunity to assure your excellency, that it is the firm resolution of this house to promote to the utmost of their power, the welfare of the subject, and to support his majesty's government within this jurisdiction : to make a thorough enquiry into the grievances of the people and have them redressed : to amend, strengthen, and preserve the laws of the land : to reform illegal proceedings in administration, and support the public liberty. These are the great ends for which this court is assembled.

A resolution so important demands a parliamentary freedom in the debates of this assembly : we are therefore constrained, thus early to demonstrate to your excellency, that an armament by sea and land investing this metropolis, and a military guard with cannon pointed at the very door of the state-house where this assembly is held, is inconsistent with that dignity, as well as that freedom with which we have a right to deliberate, consult and determine.

The experience of ages is sufficient to convince, that the military power is ever dangerous, and subversive of a free constitution.

The history of our own nation affords instances of parliaments, which have been led into mean and destructive compliances, even to the surrendering their share in the supreme legislative power, through the awe of standing armies.

His majesty's council of the province have publicly declared, that the military aid is unnecessary for the support of civil authority in the colony ; nor can we conceive that his majesty's service requires a fleet and army here, in this time of the most profound peace.

We have a right to expect that your excellency will, as his majesty's representative, give the necessary and effectual orders for the removal of the abovementioned forces, by sea and land, out of this port, and the gate of the city, during the session of the said assembly.

## Resolutions of the new house of representatives at Boston.

*In the house of representatives, May 31, 1769.*

**W**HEREAS their late majesties king William and queen Mary, in the third year of their reign, did by their royal charter ordain and grant, for themselves, their heirs and successors, that on the last Wednesday in the month of May every year, there should be convened, held and kept by the governor of this province for the time being, a great and general court or assembly, for such important purposes, as in the said royal charter are expressly mentioned.

And in the said charter it is particularly established and ordained, that yearly once in every year for ever thereafter, the number of eight and twenty counsellors or assistants, shall be, by the great and general court or assembly, newly chosen, which election of counsellors or assistants by the general assembly, as well as the elections of a speaker and clerk of the house of representatives, by the said house, have always been made on the said last Wednesday of May, annually.

And whereas the said great and general court or assembly is now convened by the authority of his majesty, according to the said royal charter;

Resolved, that this house, as one branch of the same, in duty and loyalty to his majesty, as well as in regard to their own just rights and privileges, will to the utmost of their power, support and maintain a constitutional freedom in their elections, debates and determinations.

Resolved, as the opinion of this house, that the keeping an armed force by sea and land, in this metropolis, and within the harbour of the same, while the general assembly, by his majesty's command, is here convened, is a breach of privilege, and inconsistent with that dignity and freedom with which they have a right to deliberate, consult and determine,

Resolved, that this house proceed to take their part in the elections of the day, from necessity, and strict conformity to the royal charter, having before claimed their constitutional freedom, and now protesting, that their thus proceeding, while the abovesaid forces are suffered to remain in the metropolis, where the general assembly is convened, is not to be considered as a precedent in any time hereafter, or construed as a voluntary receding of this house from their constitutional claim.

The following answer was sent by the governor to the address of the house.

Gentlemen,

**I** Have no authority over his majesty's ships in this port, or his troops within this town; nor can I give any orders for their removal.

May 31.

FRA. BERNARD.

B O S T O N, June 15, 1769.

On Tuesday last a committee of the honourable house of representatives waited on his excellency the governor with the following message, viz.

*May it please your Excellency,*

**T**H E house of representatives have duly considered your message of the 31st of May, and are sorry to find your excellency declaring, that you "have no authority over his majesty's ships in this port, or his troops within this town; and that you can give no orders for the removal of the same."

We clearly hold that the king's most excellent majesty, to whom we have, and ever shall bear, and since the convening of this present assembly we have sworn, true and faithful allegiance, is the supreme executive power thro' all the parts of the British empire: and we are humbly of opinion, that within the limits of this colony and jurisdiction, your excellency is the king's lieutenant, captain-general, and commander in chief, in as full and ample manner as is the lord lieutenant of Ireland, or any other his majesty's lieutenants in the dominions to the realm of Great-Britain appertaining.

From hence we think it indubitably follows, that all officers, civil and military within this colony are subject to the order, direction and controul of your excellency, so far at least as is necessary for the safety of the people, and the security of the privilege of this house, as they are to the king's majesty within the realm. And though we admit that peace and war are in the king's hand, and that it is an indisputable part of the royal prerogative, necessary for the preservation of the common-wealth, as all other well grounded prerogative powers are, that to define the fleets, and march the armies of the state to any part of the world, where they may be necessary for the defence and preservation of the society, belongs to the crown; yet it is impossible to believe that a military power or a standing army, procured and stationed here in consequence of misrepresentations of the duty and loyalty of his majesty's subjects of the province, and suddenly quartered not only contrary to act of parliament, and to every principle of reason,

office and equity, but accompanied with every mark of contempt, reproach and insult, to as brave and loyal a people as ever served a prince, can be uncontrollable by the supreme executive of the province, which within the limits of the same, is the just and full representative of the supreme executive of the whole empire.

It is well known that it is no uncommon thing for disturbances to happen in populous cities; and such as have unfortunately taken place in this province, have been greatly misrepresented: We have not only been told of, but all parts of the empire have been alarmed with apprehensions of danger to his majesty's government in North America in general, and to this province in particular, by reason of the most exaggerated accounts of certain disturbances, which however have in every instance been far, very far from being carried to that atrocious and alarming length to which many have been in Britain, at the very gates of the palace, and even in the royal presence.

It is most certain that every subject has a right to have the rules of his duty, obedience and allegiance clearly defined and determined: hence it may be inferred that very miserable is the servitude of those who know not whether they are subject to an absolute power, civil or military, or both, as may most effectually prosper the machinations, and fulfil the purposes of despotism.

It must be obvious to all jurists, and to every man endued with an ordinary understanding, that the doctrine your excellency has been pleased to advance, in your answer to the message of the house, involves us in that state which is called by the learned, *imparium in imperio*; or at least establishes a military power here, uncontrollable by any civil authority in the province.

It has been publicly said that the military power is become necessary in this colony to aid and support civil government, for which we have no less authority than the resolutions of the two houses of parliament, and the declaration of one of his majesty's principal secretaries of state. The use of the military power to enforce the execution of the laws is in the opinion of this house inconsistent with the spirit of a free constitution; and the very nature of government: Nor can there be any necessity for it; for the body of the people, the *potest Comitatibus* will always aid the magistrate in the execution of such laws as ought to be executed. The very supposition of an unwillingness in the people in general that a law should be executed, carries with it the strongest presumption that it is an unjust law, at least that it is unsalutary. It cannot be their law, for by the nature of a free constitution, the people must consent to laws before they can be obliged in conscience to obey them. In truth, no law, however grievous, has been opposed in the execution of it in this province; and yet a military power is sent here purposely to aid in the execution of the laws: And what adds to the injustice of those who procured this armament is, that it was procured at the very time when the people were dutifully supplicating the throne for the redress of grievances, occasioned by acts of parliament for the purpose of raising a revenue in America. We think we can infer from your excellency's declaration, that this military force is uncontrollable by any authority in the province: It is then a power without any check here, and therefore it is so far absolute. An absolute power which has the sword constantly in its hand, may exercise a rigorous severity whenever it pleases: what privilege, what security is then left to this house, whose very existence to any purpose depends upon its privilege and security! Nothing remains in such a state, if no redress can be had from the king's lieutenant in the province, but that the oppressed people unite in laying their fervent and humble petition before their gracious sovereign.

On Wednesday morning his excellency the governor sent the following message to the house by the secretary; but the house having adjourned to this morning, the secretary then delivered the same, viz.

*Gentlemen of the house of representatives,*

**N**otwithstanding the doubts and difficulties which you have expressed to me in your message of this day: It is certain that I have no authority to give orders for the removal of the king's ships out of the harbours, or his troops out of the town: Whoever is acquainted with the arrangement of the commands in America, which are all derived from the same king, knows that it is so.

I am sorry that this question should cause the non-activity of the assembly for an entire fortnight, the expence of which has already cost the province upwards of five hundred pounds lawful money; and is, for what I can see, still increasing, besides the inconvenience accruing to persons attending the general court for business.

business, which falls harder upon them as individuals, than expences generally dispersed among the people.

I cannot sit still and see such a waste of time and treasure to no purpose, if therefore you still continue of the opinion, "that the keeping an armed force in this town, and within its harbour, is a breach of privilege, and inconsistent with that freedom with which you have a right to deliberate, consult and determine." I must apply such remedy as is in my power to remove this difficulty ; and the only means I have are to remove the general court to a place where it cannot operate.

It is an indifferent thing to me where the general court is held : I know not that it is necessarily confined to any town ; that town seems to me to be the most proper for it, where the business can be most conveniently, easily, and readily done ; And as it is apparent from your own resolutions, and a fortnight's experience, that you do not think that this is, at this time, a proper town for the general court to sit in, I shall remove it to Cambridge, against which place no objection that I know of can be formed.

*Province-house, June 14, 1769.*

FRA. BERNARD.

The secretary then, by order of the governor, adjourned the court to Harvard-college in Cambridge, to Friday the 16th instant, at ten o'clock in the forenoon.

*Memoir of venality and corruption, in high places.*

The following curious affidavit from North-America will shew, that public honours have been as much prostituted there as in England ;

( C O P Y )

"I Sampson Toovey, clerk to James Cockle, Esq; collector of his majesty's customs for the port of Salem, do declare on oath, that ever since I have been in the office, it hath been customary for said Cockle to receive of the masters of vessels entering from Lisbon, casks of wine, boxes of fruit, &c. which was a gratuity for suffering their vessels to be entered with salt or ballast only, and passing over unnoticed such cargoes of wine, fruit, &c. which are prohibited to be imported in his majesty's plantations. Part of which wine, fruit, &c. he, the said James Cockle, used to share with governor Bernard.

"And I further declare, that I used to be the negociator of this business, and receive the wine, fruit, &c. and dispose of them agreeable to Mr. Cockle's orders.

Witness my hand,

Essex Co. Salem, Sept. 27 1764.

SAMPSON TOOVEY."

Then Mr. Sampson Toovey made oath to the above before

BENJ. PICKMAN, J. Peace.

*Advice to the D---- of G-----, from the Earl of Strafford in the shades.*

My L---- D-----,

THERE is a sort of sympathetic kindness, that to us even in these subterrrestrial regions for persons in your world, who are acting the same parts upon the stage of life as we did, and are in similar circumstances to what we ourselves were in, when above ground ; which prompts us to wish them well, and to be something anxious for their safety. I am therefore tempted to transmit my sentiments to your g--- on some late proceedings, and on your present situation. I was in my time, my L---- D---, the great favourite of a great king, and had, like your g---, a very contemptible opinion of the common people : I fought not their approbation, for I scorned their applause. Like your g---, I was arbitrary and despotic, and always attempted to carry things with an high hand, regardless of the sense and complaints of the nation : and this conduct naturally made the people my bitter enemies, as they are now your g---'s : But being in full possession of the favour of my prince, I thought myself secure enough, and far above the reach of their resentment. But in this I was fatally mistaken ; for such was the hatred of the commons of England towards me, and such their implacable revenge against me, that my f---n was at last forced, for his own safety, to give me up, and let my head be brought to the block. Now, my L---- D---, consider, if I, who was the real and great favourite of my prince, was not able to support myself against the violent persecution of the people, how can your g--- who is but *the shadow of a favourite*, flatter yourself you shall be able to stem the torrent of unpopularity, and make head against the resentment of an enraged nation ?

Without assuming too much to myself, or any diminution of your g---'s abilities, I may truly say, you have not either the natural, or acquired powers and qualifications, so necessary for defending and supporting yourself against the

pre-

persecution of the people, which I possessed : How then can your g--- flatter yourself with better success ? Indeed, from whence can you expect it ? Do not the frequent changes in the administration, which have happened within a few years past, prove an instability not to be depended on ? Believe me, my L--- D---, the resentment of the English nation, when once raised, will ever be too heavy for any minister, or any favourite. Wherefore, my advice to your g--- is, make the best retreat you can ; and as soon as possible, lest it be too late.

I am, my L--- D---, &c. &c. &c.

## A CHARACTER,

By JOHN WILKES, Esq;

OF all political adventurers Mr. Pitt has been the most successful, according to the venal ideas of modern statesmen. Pulteney sold the people only for a barren title. The mercenary Pitt disposed of his popularity like an exchange-broker. Besides the same title with the other apostate, Pitt secured from the crown a large family pension, and the lucrative sinecure of the Privy Seal, which he held for a few years. His retreat into the house of lords was a political demise. He passed away, but is not yet quite forgotten. His treachery to the cause of people still loads his memory with curses.

He raised himself to the greatest offices of the state by the rare talent of command in a popular assembly. He was indeed born an orator, and from nature possessed every outward requisite to bespeak respect, and even awe. A manly figure, with the eagle face of the famous Conde, fixed your attention, and almost commanded reverence, the moment he appeared ; and the keen lightnings of his eye bespoke the haughty, fiery soul, before his lips had pronounced a syllable. His tongue dropped venom. There was a kind of fascination in his look, when he eyed any one eskance. Nothing could withstand the force of that contagion. The fluent Murray has faltered, and even Fox shrunk back appalled from an adversary fraught with fire unquenchable, if I may borrow the expression of our great Milton. He always cultivated the art of speaking with the most intense care and application. He has passed his life in the culling of words, the arrangement of phrases, and choice of metaphors, yet his theatrical manner did more than all, for his speeches could not be read. There was neither sound reasoning, nor accuracy of expression in them. He had not the power of argument, nor the correctness of language, so striking in the great Roman orator, but he had the *verba ardentia*, the bold, glowing words. This merit was confined to his speeches, for his writings were always cold, lifeless, and incorrect, totally void of elegance and energy, sometimes even offending against the plainest rules of construction. In the pursuit of eloquence he was indefatigable. He dedicated all his powers and faculties, and he sacrificed every pleasure of social life, even in youth, to the single point of talking well,

*Multa tulit fecitque puer ; sudavit et alsit ;*

*Abstinuit venere et vino,*

to a greater degree than almost any man of his age.

He acknowledged that when he was young, he always came late into company and left it early. He affected at first a sovereign contempt of money, and when he was paymaster, made a parade of two or three very public acts of disinterestedness. When he had effectually duped his credulous friends, as well as a timid ministry, and obtained enormous legacies, pensions, and sinecure places, the mask dropped off, Private interest afterwards appeared to be the only idol to which he sacrificed. The old duke of Newcastle used to say, "that Mr. Pitt's talents would not have gotten him forty pounds a year in any country but this."

At his entrance into parliament, he attacked Sir Robert Walpole with indecent acrimony, and continued the persecution to the last moment of that minister's life. He afterwards paid servile and fulsome compliments to his memory, not from conviction, as appeared from many other particulars, but to get over a few Walpolians. He had no fixed principle, but that of his own advancement. He declared for and against continental connections, for and against German wars, for and against Hanoverian subsidies, &c. &c. Still preserving an unblushing, unembarrassed countenance, and was the most perfect contradiction of a man to himself which the world ever saw. If his speeches in parliament had been faithfully published to the English, soon after they were delivered, as those of Demosthenes and Cicero were to the Greeks and Romans, he would have been very early detected, and utterly cast off by his countrymen.

He is said to be still living at Hayes, in Kent.

To Dr. William Blackstone, Solicitor-General to her Majesty.

S I R,

I Shall make you no apology for considering a certain pamphlet, in which your late conduct is defended, as written by yourself. The personal interest, the personal resentments, and above all, that wounded spirit, unaccustomed to reproach, and I hope not frequently conscious of deserving it, are signals which betray the author to us as plainly, as if your name were in the title page. You appeal to the public in defence of your reputation. We hold it, Sir, that an injury offered to an individual is interesting to society. On this principle the people of England made common cause with Mr. Wilkes. On this principle, if *you* are injured, they will join in your resentment. I shall not follow you through the insipid form of a third person, but address myself to you directly.

You seem to think the channel of a pamphlet more respectable and better suited to the dignity of your cause, than that of a news-paper. Be it so. Yet if news-papers are scurrilous, you must confess they are impartial. They give us, without any apparent preference, the wit and argument of the ministry as well as the abusive dullness of the opposition. The scales are equally poised. It is not the printer's fault, if the greater weight inclines the balance.

Your pamphlet then is divided into an attack upon Mr. Grenville's character, and a defence of your own. It would have been more consistent perhaps with your professed intentions, to have confined yourself to the last. But anger has some claim to indulgence, and railing is usually a relief to the mind. I hope you have found benefit from the experiment. It is not my design to enter into a formal vindication of Mr. Grenville upon his own principles. I have neither the honour of being personally known to him, nor do I pretend to be compleatly master of all the facts. I need not run the risque of doing an injustice to his opinions or to his conduct, when your pamphlet alone carries, upon the face of it, a full vindication of both.

Your first reflection is that Mr. Grenville was of all men the person, who should not have complained of inconsistency with regard to Mr. Wilkes. This, Sir, is either an unmeaning sneer, a peevish expression of resentment, or, if it means any thing, you plainly beg the question ; for whether his parliamentary conduct with regard to Mr. Wilkes has or has not been inconsistent, remains yet to be proved. But it seems he received upon the spot a sufficient chastisement for exercising *so unfairly* his talent of misrepresentation. You are a lawyer,  
Sir,

Sir, and know better than I do, upon what particular occasions a talent for misrepresentation may be *fairly* exerted ; but to punish a man a second time, when he has been once sufficiently chastised, is rather too severe. It is not in the laws of England ; it is not in your own commentaries, nor is it yet I believe in the new law you have revealed to the house of commons. I hope this doctrine has no existence, but in your own heart. After all, Sir, if you had consulted that sober discretion which you seem to oppose with triumph to the honest jollity of a tavern, it might have occurred to you that, altho' you could have succeeded in fixing a charge of inconsistency upon Mr. Grenville, it would not have tended in any shape to exculpate yourself.

Your next insinuation, that Sir William Meredith had hastily adopted the false glosses of his new ally, is of the same sort with the first. It conveys a sneer as little worthy of the gravity of your character, as it is useless to your defence. It is of little moment to the public to enquire, by whom the charge was conceived, or by whom it was adopted. The only question we ask is, whether or not it be true? The remainder of your reflections upon Mr. Grenville's conduct destroy themselves. He could not possibly come prepared to traduce your integrity to the house. He could not foresee that you would even speak upon the question, much less could he foresee that you would maintain a direct contradiction of that doctrine, which you had solemnly, disinterestedly, and upon sober reflection delivered to the public. He came armed indeed with what he thought a respectable authority, to support what he was convinced was the cause of truth, and I doubt not he intended to give you, in the course of the debate, an honourable and public testimony of his esteem. Thinking highly of his abilities, I cannot however allow him the gift of divination. As to what you are pleased to call a plan, coolly formed to impose upon the house of commons, and his producing it without provocation at midnight, I consider it as the language of pique and invective, therefore unworthy of regard. But, Sir, I am sensible I have followed your example too long, and wandered from the point.

The quotation from your commentaries is matter of record. It can neither be altered by your friends, nor misrepresented by your enemies, and I am willing to take your own word for what you said in the house of commons. If there be a real difference between what you have written, and what you have spoken, you confess that your book ought to be the standard. Now, sir, if your words mean anything I apprehend that when a long enumeration of disqualifications, (whether by statute  
or

the custom of parliament) concludes with these general comprehensive words, " but subject to these restrictions and disqualifications, every subject of the realm is eligible of common right," a reader of a plain understanding must of course rest satisfied that no species of disqualification whatsoever had been omitted. The known character of the author, and the apparent accuracy with which the whole work is compiled, would confirm him in his opinion; nor could he possibly form any other judgment, without looking upon your commentaries in the same light, in which you consider those penal laws, which though not repealed are fallen into disuse, and are now in effect a snare to the unwary.

You tell us indeed that it was not part of your plan to specify any temporary incapacity, and that you could not without a spirit of prophecy, have specified the disability of a private individual, subsequent to the period at which you wrote. What your plan was I know not; but what it should have been, in order to compleat the work you have given us, is by no means difficult to determine. The incapacity which you call temporary, may continue seven years; and though you might not have foreseen the particular case of Mr. Wilkes, you might and should have foreseen the possibility of *such* a case, and told us how far the house of commons were authorised to proceed in it by the law and custom of parliament. The freeholders of Middlesex would then have known what they had to trust to, and would never have returned Mr. Wilkes, when col. Luttrell was a candidate against him. They would have chosen some indifferent person, rather than submit to be represented by the object of their contempt and detestation.

Your attempt to distinguish between disabilities, which affect whole classes of men, and those which affect individuals only, is really unworthy of your understanding. Your commentaries had taught me that, although the instance, in which a penal law is exerted, be particular, the laws themselves are general. They are made for the benefit and instruction of the public, though the penalty falls only upon an individual. You cannot but know, Sir, that what was Mr. Wilkes's case yesterday may be your's or mine to-morrow, and that consequently the common right of every subject of the realm is invaded by it. Professing therefore to treat of the constitution of the house of commons, and of the laws and customs relative to that constitution, you certainly were guilty of a most unpardonable omission, in taking no notice of a right and privilege of the house, more extraordinary and more arbitrary than all the others they possess together. If the expulsion of a member, not under any other legal disability



bility, of itself creates in him an incapacity to be re-elected, I see a ready way marked out, by which the majority may at any time remove the honestest and ablest men who happen to be in opposition to them. To say that they *will not* make this extravagant use of their power, would be a language unfit for a man so learned in the laws as you are. By your doctrine, Sir, they *have* the power, and laws you know are intended to guard against what men *may* do, not to trust to what they will do.

Upon the whole, Sir, the charge against you is of a plain, simple nature : it appears even upon the face of your own pamphlet. On the contrary, your justification of yourself is full of subtlety and refinement, and in some places not very intelligible. If I were personally your enemy, I should dwell with a malignant pleasure, upon those great and useful qualifications, which you certainly possess, and by which you once acquired, though they could not preserve to you the respect and esteem of your country, I should enumerate the honours you have lost, and the virtues you have disgraced : but having no private resentments to gratify, I think it is sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself.

J U N I U S.

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*A true copy (taken from the public news-papers) of a CARD : Since the publication of which, we have searched the said papers with great assiduity from day to day ; and though we find the writer has been most severely reprimanded by the friends of decorum, decency, and politeness, it does not appear that he has as yet asked pardon in a public manner—though any file of news-papers would have furnished him with a variety of precedents from which he might have copied a penitential advertisement, suitable to the occasion, though in the style of Hackney-coachmen and carmen.*

*Arlington-street, June 27, 1769.*

‘ Lord Weymouth presents his compliments to the Lord Mayor of London, and begs to assure his lordship, that he should be extremely glad to give him any information relative to the presenting the petition of the livery of London to his majesty, but the secretary of state never takes the king’s pleasure with regard to the time and place of receiving petitions. They are usually presented to the king, either on Sunday, as his majesty is going to, or returning from the chapel ; or on Thursday, as he goes to or returns from the drawing room.’

## AN IMPARTIAL REVIEW OF NEW BOOKS.

*Common Sense, the Cause and Foundation of human Society, or an Examination of the Rights of Individuals to personal Security; and how far these Rights may extend to the altering, dissolving, or forsaking any Government, that shall cherish Murderers—An anniversary Sermon preached in the parish Church of St. Mary Newington Butts, on Whit-sunday, 1769—being the Sequel to that occasioned by the Murder of Mr. William Allen the younger, on the bloody Tenth of May, 1768, and published at the Request of his Friends as a Remembrancer, to prevent the Continuance of political Murder. By John Free, D. D. 8vo. 1s. W. B. 1769.*

**T**HE real friends of the natural and acquired rights of mankind, will not want any inducement to engage them to pay the greatest attention to the merits of this discourse, penned by a reverend divine who does honour to his sacred character, by boldly exposing the errors of the highest orders of men, well knowing that it is the office of a just servant of the living God, to cry aloud and spare not, and to remove every prince and nobles for his sake.

Having traced the natural history of mankind from their very origin: he takes occasion, from a view of the politics of the civil ages of mankind to prove, *first*, that according to the laws of nature, the only cause or motive for forming societies was in order to procure, by mutual assistance and protection, a greater degree of comfort, security and peace, than could be obtained in a solitary, disunited state. *Secondly*, that all persons being guilty of opposing and defeating these ends of society, declare themselves *ipso facto*, to be public enemies, and consequently, that every one, who findeth them, has a right to slay them. *Thirdly*, that a chief magistrate, or governor, refusing to execute that right for the subject, and opposing him at the same time in the use of it, doth hereby dissolve the original compact of the state; loses all title to the obedience of his people, and leaves them at once, again in a state of nature, to take their own measures and shift for themselves. These propositions are all well supported by the learned preacher from history and the experience of past ages—The occasion of this sermon, the time when, and the place where it was preached, added to the continuance in office of lord W--y---h, who has taken the only means that could possibly have occurred, of transmitting his name to posterity, sufficiently point out the application of the above propositions, without further comment.

• *Considerations on the Times, 8vo. 1s. Almon.*

**T**HIS sensible writer declares that the nation is brought into such circumstances, that the most consummate wisdom, united with the greatest integrity of heart are scarce sufficient

sufficient to extricate us from. But he thinks that if he were to enumerate the causes which have produced these effects, he must be obliged to discover many latent evils, and to deduce the origin of them from the conduct of men, who are no more, or to blame others whose abilities would not permit them to launch out into a new road, but were content to follow the beaten path of their predecessors. On this account, and for other pertinent reasons, he chooses to drop the point on which the blame is to be laid, and to consider only this proposition, universally agreed on---That the affairs of this country require some speedy and effectual relief---this relief, in his opinion, is not to be come at by a change of administration, but by salutary measures that must be adopted, a change of measures not of men is what he proposes; on this principle, that if one angry duke chooses to resign; another necessitous one will be found to supply his place, or earl for earl, &c. these are not the changes every honest man wishes to see, for we have had experience enough from history, that those governments which depend either on mercenary soldiers, or mercenary servants, can never be permanent.

The force of every nation is cemented by every individual having an interest in supporting the cause of the whole: the wisest legislators have always considered this cement so essential to perpetuate a state, that experience informs us this plan was never neglected in early times, except by tyrants and usurpers, and those republics remained the longest, when the people had a share and an interest in the government.

After an accurate enquiry into the causes of the prosperity and decline of ancient states, he extolls the excellency of the British constitution, he observes that we have still preserved the essence of government in the hands of the people. But we have destroyed the operation of it by venality and corruption: The consequences of septennial parliaments, on the mischiefs produced by this innovation in our constitution, he is elaborate, candid and instructive; and the sum of the whole is, a strong recommendation of annual parliaments, as the only means of restoring public virtue, morality, and freedom, for which great purposes he fairly proves that parliaments of a longer duration will be ineffectual.

“ Ever since the septennial bill passed, the patriots of the age have regarded an undue influence in procuring seats in parliament, to be the bane of this country, which one day or other must annihilate our liberties.

“ But to restore annual parliaments, is so far from being an innovation, that it is returning to the institutions of our ancestors, and going back to those laws and customs

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“ which

“ which are venerable for their antiquity. I believe, during  
 “ the time parliaments were annual, there was no suspicion  
 “ of bribery. It may also be seen in history, that bad mini-  
 “ sters were oftener impeached during those times, than at  
 “ present; though I believe our kings were as much respected  
 “ in Europe in those days, as since our enormous debt has  
 “ thrown so much power into the hands of the crown. It  
 “ cannot be an objection to annual parliaments, that they  
 “ would create a vast expence. I confess I think every man  
 “ would be a gainer by it. The ministry then (if ever they  
 “ should make an attempt to bribe them) will find it impossi-  
 “ ble to pursue that plan with any degree of success; for it  
 “ will require a much greater sum than any minister can  
 “ procure under the article of secret service money. So  
 “ that those sums, which otherwise might be employed this  
 “ way, would revert to the sinking fund, and be a means of  
 “ paying off the national debt. Those gentlemen too, who  
 “ formerly have been at great expences at their elections,  
 “ and have been obliged servilely to fawn at a minister’s levee  
 “ to repair their shattered fortunes, will not then have that  
 “ excuse to beg with. I dare prophesy that in a few years  
 “ the king would be served by as able a set of men as at  
 “ any time whatever. The house of commons likewise  
 “ would be filled with as virtuous and disinterested members,  
 “ and if it pleased God to continue peace to this nation for  
 “ a few years, I should not despair to live to see those cruel  
 “ taxes which lie so heavy upon the lower sort of people,  
 “ particularly on soap, candles and beer, taken off under the  
 “ auspices of annual parliaments---A reduction of pensions,  
 “ and of the salaries of those places which bring in from  
 “ two to ten thousand pounds a year might be expected---  
 “ for when gentlemen shall be obliged to take the sense of  
 “ their constituents, they will be more cautious in giving  
 “ away the public money, and when that is once withheld,  
 “ the hands of bad ministers are tied---Members of par-  
 “ liament must depend on their merit to recommend them to  
 “ their constituents, the minister would entirely change his  
 “ system of proceeding; instead of gaining a majority, if  
 “ such a one could be procured, by money, he must acquire  
 “ the hearts of the people by his merit; and whatever weak  
 “ men may think of such a tenure, experience both in an-  
 “ cient and modern times declares it to be the most durable  
 “ in human nature.” Our author makes a just distinction  
 between *faction* and *party*, which ministers are apt to con-  
 found---he supposes that *faction* no longer exists in this king-  
 dom, but *party* he deems to be the consequence of liberty,  
 and

and therefore declares that when the name of party shall be unknown in England, it will be because tyranny and oppression banish it; and anarchy and confusion will be the consequence.---Much useful knowledge may be acquired by the perusal of this pamphlet.

*A Description of a Parliament in no Instance similar to the present.*

8vo. 1s. *Almon.*

THE scope of this performance is to shew that the fate of England depends on our having such members of parliament, *as are or are not possessed of any place or preferment, depending upon the gift and pleasure of the crown.*

“ If it were ever to be our lot to have a house of commons filled with officers and pensioners, says our author, to which he might have added lawyers seeking preferment, )  
 “ we shall have little left to support us under the deplorable  
 “ consequences which must naturally follow from so melancholy a situation ; and we may sit down and idly shew our  
 “ affection for our country, and fruitlessly bewail the loss  
 “ of our liberties, but shall never have it in our power to  
 “ exert ourselves in its preservation. To set this matter in  
 “ the clearest light we are able, it will be necessary to shew  
 “ the danger of a parliament composed of members who  
 “ are in places, from two considerations. First, from the  
 “ nature of such a parliament considered in itself. Secondly, from what has been done by parliaments so qualified.”

The nature of such a parliament is determined by comparing it with a true one, and with the original design of parliaments in their institution. This is done with great precision, and the result is, that though the author makes no direct application to the present times, when he shews what is the conduct of a pensioned parliament, he all along by inference, supports the concise significant title of his pamphlet, particularly in the history of the first corruption of parliaments, and its fatal consequence in the time of Charles the second.

*Multum in parvo* should have been his motto, for their cannot be a stronger recommendation of this little piece.

*A Speech without Doors on the Subject of a Vote given on the 9th Day of May, 1769. 4to. 6d. T. Payne.*

THE confirming the title of Mr. Luttrell to sit as one of the representatives for the county of Middlesex, is here defended by a writer, who assigns his reasons for voting in favour of this unpopular measure. His argument turns  
 on

on the general rule, that in case of a *known legal incapacity* in the person having the majority of voices, the capable person next upon the poll, although chosen by a minority, is duly elected; he instances the case of *Malden*, in 1715, when Serjeant Comyns had the majority of votes, but refusing to take the qualification oath, his election was thereby void, and the house in that case, determined that Mr. Tuffnell was duly elected, though he had a minority of votes.

The distinction between a *legal incapacity*, by act of parliament, and an incapacity established on a resolution of the house of commons, of which the candidate is a declared member by a majority of the votes of his constituents, is trifled with in this performance, which will not bear reading after the letter of Junius on the same subject, see page 81.

*The Swiss, a new Political Paper, Fol. 3d. T. Evans, Paternoster-Row.*

THIS new adventurer in the region of politics, seems to promise the public both information and amusement; he proposes publishing an essay every Saturday, two papers have already appeared, which give a very agreeable specimen of the author's talent for humour, at the same time that they induce us to believe he is capable of writing very seriously, and of giving us some very important discussions of the political transactions of the times. He gives an entertaining account, in his introductory essay of the difficulties that occurred to him in fixing his title. "*The Patriot, the Middlesex Freeholder, The Briton, The North Briton, and The Irishman*, were all considered and rejected in a very short time, for various reasons which he mentioned; but *The Frenchman* was not so readily given up, though *The Swiss* finally carried the day.

"I inclined for some time to assume that name, *The Frenchman*. My motive was this, I thought such a title might immediately turn to good account. It is very well known that our present excellent minister is *French* in every thing, except his birth, his wives, his mistress, his cups, his dice, and his race-horses: in this we may allow him to be mostly, if not altogether *English*. But then his name, his looks, his manners, and his horns, with all the other furniture of his head whether natural or adventitious, are entirely in the French taste; and what is better still, his heart, his affections, and his politics such as they are, are totally devoted to the advancement of the glory and interest of that polite and illustrious people.

"Ma

“ *Ma naissance est Angloise* (I once heard a popish English  
 “ refugee say with a sigh, among a company of French offi-  
 “ cers) *Mais mon cœur est François*, added he, with a deeper  
 “ sigh, on occasion of some signal disaster just sustained by  
 “ the *countrymen of his heart*, in their last war with Eng-  
 “ land. I never read the dissertations of the ministerial pen-  
 “ men, particularly the illustrious *Vindex* on the affairs of  
 “ Corsica, but they recall to my mind this worthy Englishman  
 “ by birth, though the incident I have related passed many  
 “ years ago. *Vindex* no doubt speaks the language and sen-  
 “ timents of his patron and paymaster; and therefore I  
 “ cannot but figure to myself our great man, saying *ma*  
 “ *naissance est Angloise* with a sigh indeed, because of his con-  
 “ nexion with the rascally island, whose ruin he is endea-  
 “ vouring to accomplish with all imaginable expedition,  
 “ *mais mon cœur est François*, with a smile and tone of exul-  
 “ tation, on the late wonderful successes of his friends and  
 “ allies against our fellow islanders and strugglers for liberty.  
 “ Indeed some people who may pretend to excuse the refugee  
 “ on the score of his education and religion, which were  
 “ both French, may alledge, that the same vindication can-  
 “ not be offered for the minister, who was never suspected  
 “ to have any religion at all to bias his affections one way  
 “ or another, and whose education is well known to have been  
 “ entirely English, on the turf, and at the gaming-table.  
 “ But may it not be answered, that his grace’s attachment  
 “ to France is the more meritorious on that account, be-  
 “ cause it is so far disinterested.” Our author’s predilection  
 in favour of the *Frenchman* subsided however when he came  
 to consider that though his grace might take him into pay  
 with the rest of his writers, and might not have abilities to  
 discover any fraud, yet his brother scribblers with whom he  
 should divide the secret service money, would at length dis-  
 close to his grace, that he hoisted false colours, and instead  
 of promoting, betrayed his grace’s and the French interest.  
 From hence we learn that the *Swiss* intends to be an Anti-  
 gallican. His humour rather borders upon the low and  
 obscene in his reasons for discarding the *italian* title, and we  
 hope he will attend to this timely admonition. At last a  
 friend determined his choice by reminding him of the *Swiss*,  
 the faithful honest *Swiss* who always fights for any side that  
 pays him, and always on that side which pays him best.  
 Adhering to this maxim, *Point d’argent point du Suisse. No*  
*money no Swiss*. We are therefore apprized that our *Swiss*  
 will not fight for the public, unless the public pays him bet-  
 ter

ter than the ministry, and as we think him a hopeful genius, who already displays patriotic sentiments, we recommend it to the public to encourage the sale of his essays, by which means the *Swiss* will keep honest and faithful to the cause of virtue and of the friends of freedom.

The *Swiss* declares his paper to be open to all parties, and influenced by that motive only, which influences them all--- *No money, no party, or no Swiss*. Accordingly in his second essay he solicits the correspondence of the ministerial and anti-ministerial writers, but upon very different conditions dictated by his own interest. "*Junius and Atticus*, it is well known, says he, are spirited and elegant writers, whereas "duller fellows than *Anti-malagrida*, *Silurus* and their comrades are not to be met with. It is plain his grace can "get no better workmen for money, and I am sure he will "never get one for love. A letter from *Junius* or *Atticus* "would establish the *Swiss* at once. One from *old Noll* or "*Anti-malagrida* might ruin it for ever". He therefore determines to make the latter pay him well for inserting their pieces, but the writings of their opponents he will receive *gratis*. We shall close our account of this droll fellow of a Swiss, by citing his relation of his having sent his first paper to the press in a violent hurry, a week sooner than he intended.

"It was owing to an ugly report, current in all the "news papers, of the sudden dismissal of our friend the "D—— of G——n provided however with a pension of "6000*l. per annum*, for his eminent services to himself, his "king and his country. I was thunder-struck at these fatal "tidings, I foresaw my utter ruin, or rather annihilation "as a political writer, and was afraid, as an Irishman "would say, that I should die before I came to life. I "cursed my own dilatoriness, and gave my nicety and delicacy about the title, (which actually kept me back about "six weeks) to the devil a thousand times over. For though "my title is so happily contrived, that it will equally suit "all parties and principles, yet not having been idle while "I was thinking of it, I had collected hints, anecdotes, and "memoranda, all which are now down in my commonplace book, for a number of papers which must have been "entirely useless had this dreaded event happened, because "they will apply to no one minister that ever existed, or I "hope ever will exist again in this country, except his grace "of G—— alone."



T H E

# POLITICAL REGISTER,

For SEPTEMBER, 1769.

N U M B E R   X X X .

To the Printer of the POLITICAL REGISTER.

S I R,

**S**INCE I had the pleasure of sending you my strictures on the conduct of two successive administrations with respect to the civil and religious establishments in Canada and the Grenadines,\* great pains have been taken both in the Grenadines and at home, to represent the unconstitutional measure taken by the present administration, *in admitting papists into offices of trust and into the legislature* in any part of the British empire, in a different light from that in which, I have laid it before the public.

It is therefore incumbent on me to communicate to you such authentic intelligence as has come to my hands from the time of my first publication, to this day; that the friends of the protestant religion, on the security of which depends the existence of our excellent constitution, may be enabled to form a right judgment of the contest between his majesty's *natural-born protestant* subjects of Grenada, and the adopted *French-born, Roman catholic* subjects, whose interests are preferred to the former, by a protestant government at home. It has been said by the friends of the *papists*, in power, that the opposi-

\* See Vol. IV. page 257.

tion made to that *unconstitutional measure* consisted only of a few factious turbulent protestants, but, sir, the genuine copy of a memorial which I have annexed to this letter will serve to convince the world, that all the well-wishers to their king and country, warmly remonstrated against the first attempt to carry it into execution. This memorial will justify my representation of the case in every article, against the audacious falsehoods which I detected in the pamphlet called the *Grenada Planter*, which ought to have been burnt by the hands of the common hangman; but I had forgot, *papists* may libel the \*\*\*\*\*'s protestant governor with impunity, while his loyal subjects who presume to arraign the conduct of his partial j—s and weak m—s are doomed to fines and imprisonment. It has been advanced in contradiction to my strictures, that all is quiet in the Grenadines, that the people in general are well satisfied with the conduct of the ministry, and content to admit the *papists* to a share in the legislature and offices of trust. But, sir, to charge me with falsehood is not the first injury I have received from the m—l quarter. The truth, however, and nothing but the truth, on this important subject, according to the best of my knowledge, derived from authentic intelligence, shall be pursued, and from time to time laid before the public.

The commission or instructions allowing the *French-born papish* subjects a share in the legislature: to sit as representatives of the people, and to be admitted members of the council, is long since arrived at Grenada; and the l—t g—r col. F—e has flattered the administration with a belief that it has been received with universal approbation and gratitude; this is not to be wondered at, as he has taken into his service, one S—n an Irishman, who was bred up under the English and Irish jesuits at St. Omer's; this man he has made his private secretary, from which circumstances the public may partly judge of the complexion of the l—t g—r's dispatches.

The truth is, that so great is the consternation and alarm amongst the *natural-born* protestant subjects in these islands at this humiliating event, that the general assembly has not yet met, and all public business is at a stand, nor have the people any expectation of seeing the necessary acts of legislation go forward, or any transaction relative to the government of these islands, till the return of the governor, which is most ardently wished for, by the friends of the protestant cause.

On

On what account that worthy officer is detained so long from his government, is best known to himself and the m——y: from his amiable disposition, his spirited conduct during his residence, and the whole tenour of his behaviour, considered as an officer and a governor, we are led to imagine, that humanity and true patriotism, would engage him to hasten, and not to retard, the consolation which his presence will give to the king's most loyal and dutiful *natural-born* protestant subjects, consigned to his protection.

Now is the season for his return, I am an utter stranger to him, inasmuch as not to have heard his name mentioned, till I saw him grossly abused in the *Grenada Planter*, and was fired with an honest indignation, which engaged me to take up the pen, not in his support, for he stood in no need of it, as his conduct must endear him to his independent countrymen, but in support of the much injured protestant cause, which is treated with the utmost contempt, on the principles of a broad bottom'd toleration, which have been adopted at c—t, though they drove from the throne, the last monarch of the accursed Stuart race.

I hope, therefore, his excellency will pardon me, if I remind him, that it is his duty at this crisis, to repair to his most important station, as soon as his private affairs will admit of it. Lest a farther delay without any account from him of the reasons of his long absence, should induce the public to lay the blame on him personally, and the high reputation he has acquired with his countrymen should suffer. If any impediments on the part of administration protract his return, could the nation be satisfied as to the fact, they would spare his delicacy, and readily conclude, that the influence of the French c—t prevails, to whom his residence was become obnoxious.

The public, I make no doubt, will concur with me in wishing governor M——le a speedy, safe, and honourable voyage to his government; and that he may go out vested with such full powers as the constitution allows to every protestant governor, to exclude papists from all offices of trust and authority, and that in consequence, he will dissolve any assembly composed partly of popish representatives, or any council made up, by the introduction of Roman catholic members.

The ministry, you, sir, may inform, through the channel of your useful record of political transactions, that it will be an eternal blot in their escutcheons, as well an high impeachment of their political abilities, if not of their love for their

country, to have made members of parliament and privy counsellors of men, who if they were transported from one part of his majesty's dominions to another—from Grenada to Cheapside, would be disqualified by law, for the office of parish scavenger.

Your speedy insertion of this will engage me to a further correspondence with you.

I am, Sir,

Your's and the public's humble servant,

London, August 20th, 1769. T— M—r.

## MEMORIAL.

**GRENADA.** *To his excellency ROBERT MELVILLE, Esq; captain general and governor in chief of the southern Charibbee islands of Grenada, the Grenadines, Dominico, St. Vincent and Tobago, in America, and of all other islands, territories and places adjacent thereto, and which now are, or heretofore have been dependent thereupon; chancellor, ordinary and vice-admiral of the same, and major-general of his majesty's forces in the West-Indies; and to the honourable the members of his majesty's council of Grenada and the Grenadines.*

The humble Memorial of his Majesty's most faithful, loyal, and obedient Subjects, *born under his Allegiance* and resident in the said Island of Grenada.

Sheweth,

**T**HAT your memorialists, being justly alarmed at a late dangerous and unprecedented attempt by his majesty's *French-born* subjects,\* to overturn the constitution of this colony as established by the king's commission under the great seal of Great Britain, *and the instructions under his royal sign manual to your EXCELLENCY*, and to intrude themselves into the legislature and into offices and places of trust and confidence; humbly implore the assistance of your Honours and your Excellency to defeat a design, pregnant with such dangerous consequences as well to the public as to our present and future private interests.

The privileges now aimed at, the wisdom of our law has thought proper, and the experience of past times

\* This alludes to the protest and the behaviour of the new subjects at the election for the town of St. George, on the 9th. of Nov. 1767.

has

has made necessary to with-hold from *natural-born* subjects of the same persuasion, whose loyalty to their sovereign and affection to their country, have of late been in no instance questioned ;—we therefore apprehend they cannot be allowed to a people whom the fortune of war only made British subjects, and whose dispositions, habits and connections with those who were lately our declared enemies, render them very unfit objects to enjoy a preference over *natural-born* subjects, of the same *religious principles* : yet with equal surprize and concern have we heard, that what was aimed at by the attempt lately made here, is earnestly solicited for, and it is confidently said, will be speedily effected at home.†

And we have the more reason to be alarmed at the intentions and designs of these people, as they have had the confidence to deny, by a formal protest in writing, the authority of laws made by the consent of their own representatives, and the power of the legislature established by the king's commission and instructions to make acts to bind them.‡—Principles of so dangerous a tendency, and so subversive of our *excellent constitution*, that we stand amazed at the boldness of those, who could thus openly avow them.

As we have the most perfect confidence in and reliance on the wisdom, integrity, and favourable disposition of your EXCELLENCY, founded in the experience of your disinterested zeal and unceasing application to promote the happiness of the people of your government ;— as we cannot but gratefully remember the prudence and moderation which have appeared in the proceedings of the council, particularly before the completion of our legislature, and are well acquainted with your HONOURS attachment to the true interest of this country ;—we trust that the duty your EXCELLENCY owes to your royal master, your zeal for his service, and attachment and affection to the crown and nation ;—what your HONOURS owe to yourselves, to your country, and to posterity, will induce you to co-operate with zeal and unanimity to avert the dangers with which this colony is threatened, and which must be the inevitable consequence of success in this bold undertaking.

And we humbly pray your excellency and your honours to take all such speedy measures, as will be most likely to

† At this time a report was given out by the new subjects that Sir F-----, L-----t had obtained this for them.

‡ Vide the Protest.

conduce

conduce to that end, and as to your superior judgments shall seem best.

And your memorialists as in duty bound  
shall ever pray, &c. &c. &c.

This address signed by about 475 *natural-born* subjects, was presented in November, 1767—Upwards of 150 more, in different parts of the country, were ready to sign it, but the pressing necessity of presenting it, made a delay improper. How, many of those, who did sign it, were treated, by the next assembly, is but too well known.

For the Editor of the POLITICAL REGISTER.

*A Dissertation on the commercial and political State of the East India Company's Affairs; and on the Views of Administration with respect to the Commission appointing SUPERVISORS to go to INDIA.*

S I R,

**T**HE present critical situation of the East India Company's affairs both at home and abroad, is at length become an object of the greatest importance to the welfare and prosperity of the three kingdoms. The direction of their extensive concerns, the nomination of their officers civil and military, and the collection of their revenues will perhaps finally fall into the hands of government; if union among themselves, integrity and disinterestedness in their servants, and wisdom and fortitude in their councils, do not instantly take place, of the animosities and divisions of party, of the rapacity and cruelty of avarice, and of the debility, and irresolution which accompanies pride and revenge. It is no difficult matter to foresee, that any mismanagement of the concerns of this great body at this crisis, may on the one hand tear up the liberties of Great Britain by the roots, and render us all abject slaves to despotic power, or on the other, involve us in an expensive and bloody war.

To avoid either of these evils, requires the exertion of great abilities, and an uncommon portion of integrity and candour, but to steer clear of both, at this present period, will demand the most consummate political wisdom, and the most genuine sentiments of patriotism that can possibly inspire a set of men assembled together in council,—for the preservation and improvement of the immense property of the greatest trading company in Europe; and,—for the more valuable purposes of defending the liberties of that country which has given them protection and assistance, and has so largely contributed to their amazing success—against all attempts that  
may

may be made by artful and designing statesmen, to wrest from them the conduct of their affairs in India, with the sole view of increasing the power of the c——n at the expence of the freedom of the subject. A more fatal event could not possibly happen to these kingdoms, than the ceding to government the administration of the company's establishments in India, for though we have nothing to fear from the reigning prince, yet life at best is but precarious, and the throwing such an additional weight into the scale of royal authority, might be called the political exit of the freedom and independence of the renowned British empire.

If we only turn our thoughts to the power and wealth which individuals, invested with a delegated command, have acquired in Asia, partly by the force of arms, but still more by their negotiations and political connections with the regal tyrants of the country, we must tremble at the apprehension, that if the sceptre of Great Britain should, in any future time, fall into the hands of a weak, or wicked prince, whose ministers are determined to render him the most despotic monarch on earth; a treasury for the purposes of corrupting the indigent, and the unprincipled, will be constantly open in India. Concessions may be made by such a sovereign and such ministers highly prejudicial to the interest of a trading company, if the coffers of Asiatic princes afford a ready resource in time of popular commotions, and when the people are contending with their prince and his servants, for their inherent rights and privileges. What a deplorable situation posterity must be in, if ever the crown gets possession of the civil government of the East India company's settlements in Asia! Will not the army of placemen and pensioners, against whose influence the present friends of liberty find it difficult to stand their ground, be so considerably encreased, as to render all opposition ineffectual, and the will of the s——n and his servants may then be made the sole standard of administration? for every measure will be carried in their favour by an incredible majority. It is therefore no argument, because we have the best of princes upon the throne, that we should open a new source of wealth and power in his time, that may be productive of such fatal consequences to posterity; for the K—— cannot tell who shall come after him, or what manner of man shall reign over us—much less, what kind of creatures may be his ministers. If then there be any regard left amongst us for those established laws and customs, for those rights and immunities which were handed down to us from our ancestors; and which we are bound in honour and equity to transmit, as entire as we received them,

to

to the next generation. It behoves the community to be particularly attentive to all the motions of the directors of the East India company at this time.

The agreement made with the company by the present administration to accept of the sum of 400000l. per annum in consideration of the territorial acquisitions in India, was deemed highly impolitic at the time, by all the friends of despotism, as the fairest opportunity was thereby lost of extending the power of the c—— by taking possession of those territories, and appointing civil and military officers to take charge of them. But the real friends of the constitution saw this agreement in another light, and perhaps it is the only measure the ministry has taken, to which a patriotic opposition could give a tacit assent. Of two evils, it was the least, for though it might be deemed a stretch of ministerial authority to take so large a sum annually from the profits of a trading society, which had already paid for the exclusive privileges they enjoyed; *privileges indeed, which ought never to have been granted in a free state*, yet as the public in general was to be benefited by this annual deduction from the profits of a company already acknowledged to be immensely rich, little was said against it, especially as it was imagined, that the company would remain for this consideration, in the unmolested enjoyment of those territories, and have the sole appointment of all civil and military officers, whom they should think proper to send thither for the government of them.

But contrary to expectation on the appointment, by the company, of three *supervisors*, and an application made to the ministry to furnish a naval armament for the protection of their commerce in India, a fresh interruption in the management of their affairs arises; and his m----y's servants appear desirous, notwithstanding the pecuniary agreement with the company, to obtrude some of their agents upon them, and to divide with the company, the authority they have thought proper to vest in their *supervisors*, if not to supersede it. It is this alarming requisition that ought to engage not only the attention of every proprietor of India Stock; but of every member of the community, who has discernment to perceive, and patriotism to feel the blow aimed at the expiring freedom of his country, through the channel of the East India company. The first attempt to involve the company's affairs, in the political views of the c——t, seems to have been couched in the letter signed by nine proprietors, the substance of which was as follows: "That considering the present critical situation of our affairs in India, it may be  
" requested



“ requested of government to grant for the service of the  
 “ company, *two ships of the line*, and *two battallions*.” We  
 are informed, that after this letter had been twice read at the  
 general meeting of the proprietors on the 26th of July; Sir  
 George Colebrook acquainted the court, “ that they had  
 “ already applied to government for two ships of the line,  
 “ and two frigates; but that as for the battallions, it was the  
 “ general opinion of the last court of directors, *that there was*  
 “ *not the least necessity for such a requisition*, as recruiting the  
 “ company’s forces on the spot, would be the more effectual  
 “ and oeconomic method.” The opinion of the directors  
 we find was first sounded, and then the sentiments of the  
 proprietors, who happily concurred with the directors, and  
 thus the scheme of introducing the government’s troops into  
 the company’s territories in India fell to the ground. The  
 following question was then proposed and unanimously passed.  
 “ That the proprietors in general do request of their di-  
 “ rectors, that they will apply to government for the better  
 “ security of their possessions in India, and for such a naval  
 “ force consisting of ships of the line and frigates, as shall  
 “ be thought necessary.” The consequence of this appli-  
 cation has been a correspondence between the directors and  
 that great secretary of state lord Weymouth, whose letters  
 are the standard of accuracy, perspicuity and politeness. The  
 object of them is, a revival of the commission, and the expedi-  
 ency of sending out a naval officer of *theirs* to act in con-  
 junction with the supervisors. In the mean time the sending  
 out the commission is suspended, though every moment’s de-  
 lay may be of fatal consequence to the company’s affairs in  
 India. It is impossible to divine what will be the event of  
 this fresh negociation between the directors and the admini-  
 stration, but it seems to forebode a great deal of confusion,  
 and a ruinous unnecessary protraction. If however, contrary  
 to the expectation of many sensible people, this affair should  
 be compromised before the next publication of the Political  
 Register, I hope due regard will be paid to the date of this  
 dissertation, that my sentiments and animadversions on this  
 interesting subject, may be found to be compatible with the  
 state of the negociation at the time of my writing.

Lord Weymouth mentions the necessity of appointing an  
 officer of *theirs*, that is of the government, on account of the  
 eleventh article of the definitive treaty of peace with France,  
 whereby stipulations were made with some Indian princes,  
 and that this article was made at the request of the company.  
 Assuredly then, it is as much for the honour and interest of  
 the company, that the naval officer acting under their di-

rection, should adhere to the article of the treaty, as it is for government; besides, no officer of the crown, though acting by permission under the orders of the company's servants abroad, I mean the governor and council of Bengal, or the supervisors, can be supposed in obedience to them, to violate the conditions of his commission from his sovereign, in which must necessarily be included an observance of the treaties subsisting between his royal master, and the powers with whom he is in peace and amity; of these no naval officer, of the rank to command, can be ignorant, if he was, government might take care to inform him. But no necessity arises from this, that the naval officer who commands the armament destined for the company's service, should be vested by the m——y with any powers but those to be given him by the company. Depend on it if once the m——y by throwing difficulties in the way of the present commission can bring the proprietors to consent that a servant of theirs should be joined in it, in order to give it the sanction of their concurrence, all is lost, the end of the commission will be defeated, and on the arrival of this medley of authority, parties will be formed in India; those who are disgusted at the company and are disposed to ridicule the office of the supervisors, or are apprehensive of a disagreeable enquiry into their conduct, will attach themselves to the officer of the government who commands the armament, and will attempt to render his authority superior to that of the supervisors. And thus the whole will run into confusion. The Indian princes will discover a distinction between the authority of the company and of the crown, which must certainly end in the ruin of the former, from the high opinion they entertain of regal power. They will no doubt be induced to form alliances and enter into negotiations with the s——n of Great Britain, if a proper officer is on the spot, charged with plenipotentiary powers, but it will always be with a view to depress the company and lessen their weight and influence, for which a very good reason may be assigned; that their servants in India have exercised such acts of tyranny and oppression in order to amass great fortunes in the space of a few years, as have been a disgrace to humanity. One noble commander in chief, it is said, stands foremost in the journal of barbarity, having embued his hands in the best blood of the country, and supported the meanest wretch of a Nabob, destitute of honour and humanity, a spurious descendant of the greatest traitor in India, to the exclusion of the undoubted heir to the empire of Indostan. On a treaty with this man, the prosperity of the government

government of Bengal has been made entirely to depend, and more than twenty millions of Indians groan beneath the weight of his cruel oppressions, who extorts from them a revenue which is paid into the hands of the company's servants. But to what purposes it is applied is best known to themselves. How liable the East India company is to a total reverse of their rapid success, will appear from considering the situation of the Indian petty states since the dissolution of the empire of Indostan, to which a sufficient attention has never been paid either by the company's directors at home, or their servants abroad; nor have the proper measures been taken to keep on foot a force proportionate to the increase of military skill among the Indian tribes, arising from their having learnt the European discipline. "Formerly Delhi, the capital of Indostan, was the centre of all the riches of the east, and though the distance from the seat of government, left the Nabobs in the remote provinces in some degree independent, yet the power of the emperor was so great, that none of them durst presume to dispute his authority openly, for fear of being singled out as a sacrifice to his resentment. The scene is now totally reversed. The invasion of *Abdalla* from the country of Gizni gave an irreparable shock to the constitution at Delhi"; and the subsequent successes of Europeans completed its dissolution. Distinct and powerful states are now formed upon its ruins, and the rapid introduction of the European arts seems to promise them a formidable and lasting establishment. The subjects of these states have acquired sentiments of liberty to which they were formerly strangers, and they are not insensible of the indignity of being in subjection to a few diseased and profligate natives of a distant country. A view of their present situation with respect to the India company will explain the dangers that are to be apprehended from them, and for which a proper remedy must be provided without delay.

Towards Persia, Kerim Cawn has established a regular government, and has so totally overcome his seven rivals, that there is a certain prospect of his restoring the Persian empire to its ancient splendour. His army is instructed in the European discipline, and in a late transaction with the presidency of Bengal, he has discovered his want of respect for the company. South east of Kerim Cawn's dominions, the power which is the most formidable to the company's interest on the Malabar side of India, is the Morattoo aristocracy. The amazing constitution of this ravaging state, the extent of their territory, the height to which they have

already carried the use of fire arms, and disciplined infantry, and the numerous armies of cavalry at their command, leave no power with Europeans to resist them. In the year 1761, they opposed Abdalla at Delhi, and in one battle with him lost 45000 men. It is to this defeat that the company has hitherto owed the unmolested enjoyment of the revenues of Bengal, for had they not been discomfited in this enterprize, they might have at once cut off the provisions of Bombay, have sent an army of 80,000 horse into Bengal, and have invaded the Carnatic with 50,000 hardy cavalry, nor could any reprisals have been made upon them in their own country, as it is impenetrable from the Malabar coast, and as it is impossible ever to strike at their capital from Bengal or Madras, on account of the distance.

The political influence of the Morattoes being at present divided between an uncle who was regent, and a nephew who is grown up to the age of man, the lineal descendant of the race of their kings. It may therefore confidently be asserted that the existence of our India company depends on their revenue, and their consequent ability to make war in defence of it, depends in a great measure on the effect which negotiation may have in distracting the councils of this state, and widening the breach between the regent and the young prince. This ought to be the grand object of the present commission; and here Mr. Vansittart's abilities in the closet may, and probably will, do more service to his country, than Clive's impetuosity in the field.

The only quarter in which the Morattoes are vulnerable is their navy, which they are now endeavouring to put on a respectable footing. They have in all about three hundred small fighting ships in their different ports, which they employ chiefly in acts of piracy; and in Gheria, of which they were most impudently put in possession after we had taken it from Angria, they may be said to have a sea port impregnable to our navy.

South of the Morattoes, between the fifteenth and tenth degree of north latitude, are the territories of *Hyder-Ali*, who is at present the terror of Leadenhall-street. The territories of this prince are about 500 miles square, and lay chiefly in the Myson country. The plan upon which he has disciplined his small array is totally European, and he understands the comparative advantages and disadvantages of discipline and irregular attack better than any of our generals. He has now been five years successively in the field, and has never been in winter quarters during the monsoons. Here he finds the superiority of an Indian to an European army,  
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for while the former are able, from their knowledge of the climate, and its diseases, to provide against its reverses, the latter drops off, and by using immoderate quantities of spirituous liquors to resist the intemperature of a sky, alternately scorching and moist, they only accelerate their ruin.

Whatever *Hyder-Ali's* fate may be, his army will still remain, and it has already proved a school of military science to Indostan. It is impossible to reduce him totally, such is his situation and such his resources, and it is only by treaty and political management that he can be diverted from making the extirpation of the English, the great object of his ambition.

North east of *Hyder-Ali*, and to the north of the Carnatic, are the territories of the Nizam, the Suba of the Decan, and the descendant of the celebrated Nizam al Muluck. This prince possesses all the treachery of his ancestors, with a perfect knowledge of the manners and power of the Europeans, but he is no soldier, and he is more formidable for the greatness of his name, and his inveteracy to the English, than he is to be dreaded as an enemy, though he has at present an army of fifty thousand horse, and thirty thousand foot in his pay. He is become a determined enemy to the company from a notion that they intended to raise Mahomed-Ali-Cawn to the Subaship of the Decan, which measure would be highly advantageous to the company, and it is now absolutely necessary either to crush the Nizam entirely, or to remain in continual warfare with him. By his alliance with *Hyder-Ali*, he has in the last campaign, acquired the secret of our conquest, and knows how to harass and ravage with his cavalry without coming to a general engagement. His Subaship, including Golconda, forms naturally the richest and most valuable dominions in India.

To the north of the Nizam's dominions, and between those of the Morattoes and our territories in Bengal, lies the country of Bundelcund, governed by Hindoot. He is a powerful and politic prince, and is establishing an extensive independent government. Opposite to him on the north east side of Bengal, is the famous Sujah-Dowla, who was lately engaged in a treaty with the Nizam and *Hyder-Ali*, for the extirpation of the English; but who is now said to have bound himself to peace. His force, his preparations and martial abilities are well known. He is permitted by treaty to have an army of thirty five thousand disciplined troops on foot. His great ambition is to become Suba of Bengal, by the expulsion of the English, or vizier of the empire by the nominal elevation of Shaw-Allum to the throne

throne of Indostan. The aid of France or Holland would enable him to obtain the former, and as Abdalla is at present with a powerful army in the neighbourhood of Delhi, he has less hopes of attaining the latter, he is therefore extremely formidable.

From this cursory view of the most powerful independent states, which have grown up out of the ruins of the empire of Indostan, which is the most correct that has ever been given to the public, and for which we stand indebted to an anonymous writer, who appears to be well acquainted with the political state of India, it plainly appears that the Asiatic princes are making the most rapid advances in military discipline, and are become every day more and more jealous of the usurpation of the European powers over their territories, and especially of the English, who have harrassed the natives and fomented divisions and civil wars amongst them, to facilitate their conquests, and to enable them to plunder the country with greater security. To attack these princes is only instructing them, and to shew a hostile disposition towards them all, would be the means of making them forget their mutual jealousy, and unite in one common league against us. They have at present in their different services, a number of adventuring Europeans, mostly Frenchmen, who are continually vaunting the superior renown of their monarch; they are thereby become more attached to that nation, and there is very sufficient proof that the French court is giving them all possible encouragement to improve in arts and policy, and is teaching them to consider the English in a most hateful and ambitious light.

Could it therefore be supposed that the league which was formed last year by the country powers, might be conducted on a principle of mutual confidence, it is certain that our company would soon be obliged to take shelter in their fortifications on the coast. Should France openly join this league with the forces she has been sending out in detail to Mauritius all would be lost, and as the event of war in Indostan does not depend immediately on returns from Europe, there is no political consideration which can hinder France from striking such a blow. India has the necessaries of war in itself, and if France once gets the superiority there, she is not to be beat out of it, in the same manner as from America. The stations to cruize for ships going to, and coming from India, are not certain to us; whereas the French by possessing Mauritius, may always depend on meeting our ships, as they can remain longer on their stations of Madagascar, the cape and St. Helena. But what is  
most

most encouraging to the French to begin a rupture in India is, that before a public declaration of war in Europe, they may depend on being able to take, by means of a squadron fitted secretly out of Mauritius, one in two of our homeward bound Indiamen; and it may be near a year before we have the intelligence. What is more alarming still, such a plan has been given into the French ministry; and the count *d'Estaing* has undertaken to carry it into execution.

Can a more unpleasing prospect be given of the situation of the company's affairs? yet critical as it appears, I cannot by any means see the force of the conclusion which the court writers, and ministerial party, draw from it. That there is an immediate necessity to send out an officer commissioned from the crown, a man of rank, honour and integrity, to superintend the supervisors, to hear the complaints of the natives, to pledge the public faith for the observation of treaties, and to inculcate upon the minds of the Indians, that the injustice they have already experienced, was so far from having the sanction of the people of England, that means will be used to bring to condign punishment, the authors of such injuries for the future. Nor can I possibly subscribe to the opinion maintained by these gentlemen, that the sanction of government to treaties with the Asiatic powers, is absolutely necessary to secure the faith of princes, rendered distrustful by repeated breaches of the most solemn engagements on our side. This opinion is built on the weakest reasoning that ever was offered to the public. "That the Indians being brought up under regal government, place a confidence in the promises of princes, which they never bestow on commercial bodies, founded upon avarice and interested principles". But these Indians are not to learn that the English East India company has a power and authority lodged within itself, independent of government, to make treaties with them, and to negotiate all public transactions relative to their settlements and the interest of their commerce. And that it is one thing to form treaties and enter into alliances with a mercantile body, and another to engage in political connections with sovereign states, which may expose them to numberless inconveniences, and engage them in long and expensive wars, both foreign and domestic, with the different powers of Europe, who have establishments amongst them.

But we are told, "that the company seems to stand at the utmost height of its success, amidst uncertainty. That it is a fabrick of power raised rapidly, and on a foundation

“ foundation that was not previously examined, and therefore is liable to a sudden fall, to which is added, that there is the less reason to regret this event, *the ruin of the company*, if we reflect that the natural strength of Great Britain is exhausted by its duration, and that luxury and the disproportionate fortunes of individuals, are the only advantages which are received in return.” So that the annihilation of the company seems to be desired, rather than it should subsist on its present independent footing. This is a plain hint of what is to be expected from the Butean system of politics which prevails in the c——t, and it is the duty of the directors of the company, and also of every proprietor, to take this warning, and to unite in one common bond of amity, to prevent the dissolution of the society through the open hostilities of the Asiatic powers; assisted by the French, or the more latent designs of the encouragers of despotism at home. The measures already taken may be sufficient to avert the impending storm in India, if the carrying them into execution is not unnecessarily delayed by m——l artifice. The commissioners appointed by the company are all acknowledged to be men of tried abilities, and of distinguished probity and humanity; what more can be requisite for enforcing all the purposes of the commission. By the powers vested in them no doubt can possibly remain in the breasts of the Indians, that the treaties they shall enter into with them will be religiously observed. If the company’s servants there, have abused their trust, and tyrannised over the natives, they have authority to hear their complaints, and it will be equally their interest, as it will redound to their honour, to redress their grievances, and to pledge the public faith of the company, that those who oppress them in future shall be brought to condign punishment. This is one object of negotiation, which can be accomplished without the assistance of an officer of *theirs* as lord Weymouth styles it. Every other point that can possibly arise is equally within the province of the supervisors, and one would really have imagined that the appointment of Mr. Vansittart, whose connections with the Butean party are no secret, might have satisfied the m——y, without attempting to add to the commission an officer of *theirs*, which can produce no one good effect, and to *augur* the best of it, may be productive of many injurious divisions among the company’s servants in India.

The interfering of the crown in mercantile companies has at all times proved fatal to them, of this truth the ruin of the French East India company is a recent instance, and if ever that company



company is re-established, its direction will be founded on the same principles of independence as ours, though under a despotic monarch. This is the only method they can take to restore the valuable Asiatic commerce to France; and whoever considers attentively the political genius of the French, will not hesitate to pronounce that they will not long be idle spectators of the vast fortunes amassed by some individuals amongst us by their stations in India, nor of the rapid success of a company enabled to divide an interest of ten per cent, and to supply government with 400000*l.* per annum out of their profits. The barren lands of Canada will be well exchanged for profitable acquisitions in Asia, and while we are burying our people by wholesale in the deserts of Florida, where we shall never be able to make any establishments that will prove beneficial to the mother country, the French ministry with charts before them, are studying how to repair the loss of extent of empire, which they willingly suffered at the late infamous peace, by marking out and fixing their eyes on such places in Europe and Asia, the possession of which will advance their commercial interest, and retrieve the glory of their monarch. Corsica they have already seized without molestation on our parts, and have insolently bid our *petits-maitres* of ministers, mind their own business, that is to say, their internal quarrels with the people, and not trouble their heads about their conquests. But when a war breaks out, it may perhaps be too late to punish the authors of this shameful neglect of the true interest of the nation, while we shall readily see the great disadvantages arising to our commerce from their possession of this valuable island.

The next important blow they are preparing to strike is in India, and perhaps our ministry may not think proper, or dare to call in question, their sinister measures. For it seems to be the maxim not to molest them, if they do not directly attack our property. So that in time of peace, they may teach those Asiatic princes, who are the avowed enemies of the English East India company, the European discipline; they may furnish them with military stores; increase their animosity to us, by the exaggerations of malevolence; and in short excite them, when prepared for war, to provoke and annoy the company's officers, till a rupture is produced, and yet we have no right to call them to account for their undermining policy. This surely is a strange weakness in government, and is the more to be lamented, as we unhappily have shewed the French a precedent of our disregard to the law of nations, by our hostilities, previous to the last formal

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tion of war against them. Our ministry ought to know that they never were backward in repaying compliments of this sort, and though it be given out, by the lovers of peace, on any terms, that the finances of France are in such a bad state as to disenable them from making war against us for some time; the force they have sent off secretly to Mauritius, and the diligence of their agents in India, who are incessantly labouring to widen the breach between the English company, and the Nabobs of the country, form a strong presumption that it is their intention to remove the incapacity just mentioned, by striking a sudden blow in a quarter where wealth is to be found, instantaneously to recruit their exhausted finances.

Whatever be their designs, we have had sufficient in their preparations and intrigues, to keep a watchful eye over them. How much more meritorious would it have been, if administration had doubled the number of ships required by the company, than to have protracted the important commission by a contention for power, and authority to controul the company's officers.

An able statesman when he sees an old inveterate enemy making formidable preparations for war in any quarter of the globe, will naturally turn his whole attention there, and suspecting all the avowed dispositions to peace of a nation remarkable for perfidy, dissimulation and breach of treaties, will direct such an opponent force to be stationed in the part where a rupture seems intended, as may awe the enemy, and induce their ministry to lay aside their ambitious projects. But such has generally been the fate of Great Britain, that either through the inability and indolence of those at the helm, or through a vain confidence in her superior strength, the first alarms of hostile preparations have been disregarded, and no attention has been given to the cry of fire, though a timely application might have been made by observing the warning, and the flames of war have been prevented from breaking out. This is evidently our present situation, with this unlucky circumstance thrown into the scale, that there is a strong prepossession in the country in favour of peace, no matter at what rate it is preserved. So that we may expect every insolence will be borne, every warlike preparation will be quietly suffered; and no measures taken to obstruct or impede the revival of the glory of France, till some daring act of hostility is committed, which will probably be at such a distance from home, that the loss to the nation will be irreparable before the intelligence of the event is received and credited.

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A dependance on the superior bravery of our troops, and the strength of our maritime force is truly laudable, and in general, under the favour of providence, and an able administration, we may safely affirm, that Great Britain will ultimately triumph over all her enemies. But then, it is her misfortune to be involved in a heavy national debt, which continually exhausts her finances, so that she must burthen her subjects beyond their strength, in the very first year of any future war; and it is this consideration that ought to engage her governors to be extremely vigilant to prevent a rupture, and not to be sparing of the public money upon so important an occasion as the fitting out an armament which may enforce by its bare appearance, the observation of endangered treaties of peace. The expence of sending a formidable squadron to the East Indies, will not be equal to one eighth of the charges of the first year of war, and therefore bears no proportion to the advantages that may arise from it, since we may thereby prevent a farther debt of sixty or seventy millions, besides avoiding the uncertain event of war.

It is therefore the duty of every good subject, of every well wisher to his country, to admonish our present ministry, who cannot boast that their great abilities set them above advice, of the danger that threatens this nation from the prevalency of the French interest in India, "and from the force which they have been sending out in detail to Mauritius," and to call upon those who have been charged, though we hope falsely, with an application of the public money to the most ignoble purposes; to find the means for equipping and sending out to India without loss of time, not only two ships of the line and two frigates for the company's service, but likewise on the nation's account, a squadron of observation, that may appear respectable in the eyes of France and Spain, and convince the world, that our foresight, political skill, and prudent attention to what passes in the most remote parts of the world, is not totally lost or absorbed in domestic broils, and contentions for places of trust and emolument, which ought to be filled by none but those, who to use a vulgar phrase, will give a sharp look out after the common enemy.

I hope these animadversions on our India affairs will find a place in your next publication, but if you should think otherwise, be pleased to leave them sealed up, according to your late promise, when you solicited for correspondents,

Sir, your humble servant,

Windsor, Aug. 18, 1769.

CLITUS,

*Continuation of American Affairs. See page 98.*

*From the SOUTH-CAROLINA GAZETTE.*

*Charles Town, June 27.*

**M**ONDAY last 24 of the Members of the House of Assembly of this province, elected in March last, met in General Assembly, took the usual oaths and their seats, and unanimously chose the Hon. Peter Manigault, Esq; for their Speaker; whom having presented the next day to the governor, after approving their choice, his Excellency was pleased to open the sessions with the following Speech:

*Honourable Gentlemen,*

*Mr. Speaker and Gentlemen of the Commons House of Assembly,*

HIS Majesty having been pleased to signify to me, that it is not his intention, that this province in general should any longer suffer, on account of the intemperate resolutions of the late Commons House of Assembly, by a discontinuance of the meeting of their representatives; I have taken the earliest opportunity to call you together, for the necessary dispatch of the publick business, which I trust you will proceed upon, with prudence, unanimity and expedition.

Although there are several matters that well deserve your serious consideration, I cannot help mentioning to you the grievances that your fellow subjects suffer in the interior parts of this province, from the want of an equal distribution of justice, as a matter that claims your immediate attention and regard. As I have lately been an eye-witness to the distresses they labour under, I earnestly recommend to you, to pursue such measures, as will tend to relieve them; and in order to ease your deliberations on this point, I will lay before you copies of the report of the lords commissioners for trade and plantations, on the bill for establishing circuit courts in this province, passed some time since, wherein you will see stated the reasons that operated against that act's receiving the royal approbation.

I also recommend to you, to consider of some regulations for carrying on the trade between this province and the Indians; it having been under no regulation for these six months past, and some disturbances have already happened between them and the traders, which, if not attended to in time, may be productive of dangerous consequences.

*Mr. Speaker, and Gentlemen of the Commons House of Assembly,*

I shall order the publick accounts to be laid before you, and desire that you will make provision for their discharge.

*Honourable Gentlemen,*

*Mr. Speaker and Gentlemen of the Commons House of Assembly,*

THE growing interest of this province cannot fail to raise the most pleasing reflections in the breast of every well-wisher to its prosperity; and the late liberal bounty granted by Parliament on the importation of silk from the colonies, as it flatters us with the hopes of adding another valuable staple to your produce, it cannot fail to add to the gratitude, the many and great benefactions you have received from your Mother Country justly deserves: let it be your care to improve the advantages you enjoy: and, in every measure calculated to promote the true welfare and happiness of the province, you may rely on my countenance and support.

June 27, 1769.

C. G. MONTAGU.

*Charles Town June. 29.* Yesterday the following resolutions were entered into and signed by many respectable Gentlemen: viz.

"We his Majesty's dutiful and loyal subjects, the inhabitants of South Carolina,

Carolina, being sensibly affected with the great prejudice done to Great-Britain, and the abject and wretched condition to which the British Colonies are reduced by several Acts lately passed: by some of which the monies that the colonists usually and cheerfully spent in the purchase of all sorts of goods imported from Britain, are now, to their great grievance, wrung from them without their consent, or even their being represented; and applied, in prejudice of, and without regard to, the real interest of Great Britain, or the manufactures thereof, almost totally, to the support of new created commissioners of customs, Placemen, parasitical and novel officers; and by others of which acts, we are not only deprived of those invaluable rights, trial by our Peers and the Common Law, but are also made subject to the arbitrary and oppressive proceedings of the Civil Law, justly abhorred and rejected by our ancestors, the freemen of England; and finding, that the most dutiful and loyal petitions from the colonies alone, for the redress of those grievances, have been rejected with contempt, so that no relief can be expected from that method of proceeding, and, being fully convinced of the absolute necessity of stimulating our fellow-subjects and sufferers in Great-Britain to aid us, in this our distress, and of our joining with the rest of the colonies, in some other loyal and vigorous methods, that may most probably procure such relief, which may be most effectually promoted by strict oeconomy, and by encouraging the manufactures of America in general, and of this province in particular: we therefore, whose names are underwritten, do solemnly promise, and agree to and with each other, that, until the colonies be restored to their former freedom, by the repeal of the said acts, we will most strictly abide by the following resolutions.

I. That we will encourage and promote, to the utmost of our power, the use of North American Manufactures, in general, and those of this province in particular.

II. That we will upon no pretence, whatsoever, import into this province, any of the manufactures of Great-Britain, or other goods and wares usually received from thence, other than such as may have been shipped in consequence of former orders, and we do solemnly promise and declare that we will immediately countermand all orders to our correspondents in Great-Britain, for shipping any such goods, wares and merchandizes, excepting only Negro Cloth, Duffel Blankets, Osnaburghs, Plantation and workmens tools, powder, lead shot, canvas, nails, salt, coals, wool cards, card wire, printed books and pamphlets: Nor shall this agreement influence us, to raise the prices of the British manufactures or other goods and wares any of us have now to dispose of, or of such as may arrive before our commanded orders get to hand.

III. That we will use the utmost oeconomy in our persons, families, houses and furniture; particularly that we will use no mourning, nor give gloves and scarves at funerals.

And lastly, that we look on every inhabitant of this Colony, who refuses or neglects to sign this agreement within one month from the date hereof, as no friend to the true interest of the Colony, and we will upon no account, at any time thereafter, purchase from or sell to such person, any goods or merchandize whatsoever. Given under our hands the 28th of June, 1769.

So thoroughly are the body of the inhabitants of this Province convinced of the necessity of entering into the above agreement, that there were no less than 25 of our Representatives, in their private capacities, amongst the first signers on Tuesday, to whom (though several resolutions of like tendency had been taken before in different divisions of the country, which are now laid aside, and the present plan adopted) may be ascribed the honour of taking the lead in this momentous affair.

*Province of Massachusetts Bay, June 22.*

Tuesday last a committee of the honourable House of Representatives, in general court assembled at Cambridge, there waited on his Excellency the Governor with the following message ; being a Reply to his Excellency's Answer to their Message of the 13th instant. [See page 104 of our Register for last month.]

May it please your Excellency,

**A**S you have not thought proper in your reply to the message of this house, of the 13th instant, to throw any light on the subject, or invalidate the principles we therein advanced, your Excellency will allow us to conclude, that those principles were well grounded, and that there is no reason for us to alter our sentiments on this interesting point.

You are pleased to intimate, that much time and treasure have been spent in determining a merely speculative question : The House regards a standing army posted within the province in a time of the most profound peace, and uncontrollable by any authority in it, as a dangerous innovation ; and a guard of soldiers with cannon planted at the doors of the state-house, while the general assembly was there held, as the most pointed insult ever offered to a free people, and its whole legislative. This, Sir, and not the question of your Excellency's authority to remove his Majesty's ships out of the harbour, or his troops out of the town of Boston, was the principal cause of the " non-activity of the assembly." Had your Excellency felt for the Assembly and the people over whom you preside, even though you had supposed yourself not properly authorized, you would have used your influence, at least, for the removal of this grievance ; especially as his Majesty's council, as well as this House, had before expressed to your Excellency their just indignation at so unprecedented an affront. But instead of the least abatement of this military parade, the General Assembly has been made to give way to an armed force. As the only means in your power to remove the difficulty we justly complained of, your Excellency has ordered a removal of the General Assembly itself, from its ancient seat and the place where the public business has generally been done with the greatest convenience, ease, and dispatch. It is with pain that we are obliged here to observe, that the very night after this adjournment was made, the cannon were removed from the court-house, as though it had been designed that so small a circumstance of regard should not be paid to the Assembly, when convened by the royal authority, and for his Majesty's service in the colony.

You are pleased to pass a censure upon this House, in saying that, " you cannot sit still and see such a waste of time and treasure to no purpose." Those alone are answerable for any expence of time and treasure on this occasion, who have brought us into such a situation, as has hitherto rendered our proceeding to business incompatible with the dignity, as well as the freedom of this House. No time can better be employed than in the preservation of the rights derived from the British constitution, and insisting upon points which, though your Excellency may consider as non-essential, we esteem its best bulwarks. No treasure can be better expended than in securing that true old English liberty, which gives a relish to every other enjoyment. These we have the satisfaction to believe are the sentiments of our constituents, to whom alone we are accountable how we apply their treasure : And we are fully persuaded, from what we have already heard, that, notwithstanding the apparent design of your message to prejudice their minds against us, what your Excellency is pleased to call our " non-activity," will receive their approbation, rather than their censure ; for an entire fortnight spent in silence, or a much longer time, cannot be displeasing to them, when business could not be even entered upon, but at the expence of *their* rights and liberties, and the privilege of this House.

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*June 28.* His Excellency the governor was pleased to send the following message to the House :

Gentlemen of the House of Representatives,

**I** Think it proper to inform you that his Majesty has been pleased by his sign manual to signify to me his will and pleasure, that I repair to Great Britain, to lay before him the state of this province ; and has also, by his secretary of state, given directions for the administration of this government during my absence.

Upon

Upon this occasion I think it necessary to communicate to you the 53d of his Majesty's instructions, whereby he orders, that when the governor shall be absent from the province, one moiety of the salary and the perquisites and emoluments which would otherwise be due to the governor, shall, during his absence, be paid to the Lieutenant Governor for his maintenance, and for the support of the dignity of the government.

I have always considered the grant of the salary appointed to me to be subject to this instruction, although it was not so expressed in the act: And I have no objection at the present time, when the absence of the governor is foreseen, that the grant of the salary shall be expressed to be subject to this instruction.

And I must at the same time observe to you, that as I am ordered to attend his Majesty as the governor of this province, and am made to understand that I am to be continued in that office, and am instructed for the appropriation of the salary, whilst I am absent from the province, there is the same reason for the grant of the salary now as there has been at any other time. I must therefore desire that, according to his Majesty's 49th instruction, such grant may be made to precede the other business of the session.

FRA. BERNARD.

This message produced the following answer, voted by the House of Representatives, on the 4th of July, and presented by their committee to the governor at Cambridge the 13th.

May it please your Excellency,

**B**Y your message to this House of the 28th of June last, we are informed that his Majesty has been pleased by his sign manual to signify to you his will and pleasure that you repair to Great Britain, to lay before him the state of this province. We are bound in duty at all times, and we do more especially at this time cheerfully acquiesce in the lawful commands of our sovereign. It is a particular satisfaction to us that his Majesty has been pleased to order the true state of this province to be laid before him; for we have abundant reason to be assured, that when his Majesty shall be made fully acquainted with the great and alarming grievances which his truly loyal subjects here have suffered through your administration, and the injuries they have sustained in their reputation, as well as every important interest, he will in his great clemency and justice frown upon and for ever remove from his trust all those who, by wickedly misinforming his ministers, have attempted to deceive even his Majesty himself. Your Excellency is best acquainted with the part you have acted; your own letters have enabled this House and the public in some measure to form a judgment: And while you will necessarily be employed as this house conceives in setting your own conduct in the most favourable light before his Majesty, we are persuaded we shall be able to answer for ourselves and our constituents, to the satisfaction of our Sovereign, whenever we shall be called to it.

You are pleased to communicate to the House an instruction for the appropriation of the salary granted to his Majesty's governor during such time as he may be absent from the colony; but as we are not "made to understand" that your Excellency will be continued in your office as governor of the province after your expected departure from it, the House cannot in faithfulness to their constituents make an unprecedented grant of this money for services which we have no reason to expect will ever be performed.

Your Excellency must be fully sensible that the people of this province have never failed in duty to his Majesty to make ample provision for the support of his government. You will be pleased to remember that you are fully paid to the second of August next, before the expiration of which time you will embark for Great Britain. We shall then make the necessary provision "for the support of the dignity of the government;" and when his Majesty shall be graciously pleased to appoint another governor, we trust this people will be ready, as they ever have been, to grant him an ample salary, proportioned to their own abilities, and suitable to his station and merit. These are the only considerations which ought to have any weight with this House in granting the people's money for the support of a governor.—His Majesty's 49th instruction now before the House, and to which you refer us, is a rule for your Excellency, but we conceive was never intended for the House of Representatives: We have however the pleasure of ob-

serving

-serving, that your Excellency is not at all restrained by it from signing any bills, or other matters that may be laid before you at any time preceding the grant of a salary for the support of government, and therefore we have a just right to expect that you will not, upon that account, retard such public business now before you, as his Majesty's service and the welfare of the people indispensably requires.

And on the 8th of *July* these important RESOLUTIONS were passed by the Representatives UNANIMOUSLY, in a full House.

**T**HE general assembly of this his Majesty's province of Massachusetts Bay, convened by his Majesty's authority, and by virtue of his writ issued by his Excellency the governor, under the great seal of the province, thinking it their duty at all times to testify their loyalty to his Majesty, as well as their inviolable regard to their own and their constituents rights, liberties, and privileges, do pass the following Resolutions to be entered on their journal.

RESOLVED, That this house do, and ever will, bear the firmest allegiance to our rightful sovereign king GEORGE the Third, and are ever ready with their lives and fortunes to defend his Majesty's person, family, crown, and dignity.

Resolved, as the opinion of this house, "That the sole right of imposing taxes on the inhabitants of this his Majesty's colony of the Massachusetts-Bay, is now and ever hath been legally and constitutionally vested in the house of representatives, lawfully convened according to the antient and established practice, with the consent of the council, and of his Majesty the King of Great Britain, or his governor for the time being.

Resolved, as the opinion of this house, That it is the indubitable right of the subject in general, and consequently of the colonists jointly, or severally to petition the King for redress of grievances, and that it is lawful, whenever they think it expedient, to confer with each other, in order to procure a joint concurrence in dutiful addresses for relief from common burthens.

Resolved, That governor Bernard, by a wanton and precipitate dissolution of the last year's assembly, and refusing to call another, though repeatedly requested by the people, acted against the spirit of a free constitution; and if such procedure be lawful, it may be in his power, whenever he pleases, to render himself absolute.

Resolved, That a general discontent, on account of the revenue acts, an expectation of the sudden arrival of military power to enforce the execution of those acts, an apprehension of the troops being quartered upon the inhabitants, when our petitions were not permitted to reach the royal ear, the general court at such a juncture dissolved, the governor refusing to call a new one, and the people reduced almost to a state of despair; rendered it highly expedient and necessary for the people to convene by their committees, associate, consult, and advise the best means to promote peace and good order, to present their united complaints to the throne, and jointly to pray for the royal interposition in favour of their violated rights; nor can this procedure possibly be illegal, as they expressly disclaimed all governmental acts.

Resolved, as the opinion of this house, That governor Bernard in his letters to lord Hillsborough, his Majesty's secretary of state, has given a false and highly injurious representation of the conduct of his Majesty's truly loyal and faithful council of this colony, and of the magistrates, overseers of the poor, and inhabitants of the town of Boston, tending to bring on those respectable bodies of men, particularly on some individuals, the unmerited displeasure of our gracious Sovereign; to introduce a military government, and to mislead both houses of parliament into such severe resolutions, as a true, just, and candid state of facts must have prevented.

Resolved, That governor Bernard in the letters before mentioned, by falsely representing that it was become "necessary the King should have the council-chamber in his own hands, and should be enabled by parliament to supersede "by order in his privy council commissions granted in his name and under his "seal throughout the colonies," has discovered his enmity to the true spirit of the British constitution, to the liberties of the colonies; and has struck at the root of some of the most invaluable constitutional and charter rights of this province: The perfidy of which, at the very time he professed himself a warm friend



friend to the charter, is altogether unparalleled by any in his station, and ought never to be forgotten.

Resolved, That the establishment of a standing army in this colony, in a time of peace, without the consent of the general assembly of the same, is an invasion of the natural rights of the people, as well as of those which they claim as free-born Englishmen, confirmed by Magna Charta, the bill of rights as settled at the revolution, and by the charter of this province.

Resolved, That a standing army is not known as a part of the British constitution in any of the king's dominions; and every attempt to establish it has been esteemed a dangerous innovation, manifestly tending to enslave the people.

Resolved, That the sending an armed force into this colony, under a pretence of aiding and assisting the civil authority, is an attempt to establish a standing army here without our consent; is highly dangerous to this people; is unprecedented, and unconstitutional.

Resolved, That whoever has represented to his Majesty's ministers, that the people of this colony in general, or the town of Boston in particular, were in such a state of disobedience and disorder, as to require a fleet and army to be sent here, to aid the civil magistrate, is an avowed enemy to this colony, and to the nation in general; and has by such misrepresentations endeavoured to destroy the liberty of the subject here, and that mutual union and harmony between Great Britain and the colonies, so necessary for the welfare of both.

Resolved, as the opinion of this house, That the misrepresentations of the state of this colony, transmitted by governor Bernard to his Majesty's ministers, have been the means of procuring the military force now quartered in the town of Boston.

Resolved, That whoever gave order for quartering even common soldiers and camp-women in the court house in Boston, and in the representatives chamber, where some of the principal archives of the government had been usually deposited; making a barrack of the same, placing a main guard with cannon pointed near the said house, and sentinels at the door, designed a high insult, and a triumphant indication that the military power was master of the whole legislative.

Whereas his Excellency general Gage, in his letter to lord Hillsborough of October the 31st, amongst other exceptionable things, expressed himself in the following words: "From what has been said your lordship will conclude, That there is no government in Boston; in truth there is very little at present, and the constitution of this province leans so much to the side of Democracy, that the governor has not the power to remedy the disorders that happen in it."

Resolved, as the opinion of this house, That his Excellency general Gage, in this and other assertions, has rashly and impertinently intermeddled with the civil affairs of this province, which are altogether out of his department, and of the internal police, of which, by his letter, if not altogether his own, he has yet betrayed a degree of ignorance equal to the malice of the author.

With respect to the nature of our government, this house is of opinion, that the wisdom of that great prince, William the Third, who gave the charter, aided by an able ministry, and men thoroughly versed in the English constitution and law, and the happy effects derived from it to the nation, as well as this colony, should have placed it above the reprehension of the General, and led him to enquire whether the disorders complained of have not arisen from an arbitrary disposition in the governor, rather than from too great a spirit of Democracy in the constitution. And this house cannot but express their deep concern, that too many in power at home and abroad, so clearly avow, not only in private conversation, but in their public conduct, the most rancorous enmity against the free part of the British constitution, and are indefatigable in their endeavours to render the monarchy absolute, and the administration arbitrary, in every part of the British empire.

Resolved, That this house, after the most careful enquiry, have not found an instance of the course of justice being interrupted by violence, except by a rescue committed by Samuel Fellows, an officer in the Navy, and by the appointment of the commissioners an officer also in the customs: nor of a magistrate's refusing to enquire into, or redress any injury complained of: While it is notorious to all the world, that even such acts of parliament as by the whole continent are deemed highly oppressive, have never been opposed with violence, and the duties imposed and rigorously exacted, have been punctually paid.

Resolved, That the frequent entries of *Noli Prosequi* by the attorney and advocate general in cases favourable to the liberty of the subject, and rigorous prosecutions by information and otherwise in these in favour of power, are daring breaches of trust, and insupportable grievances on the people.

Resolved, as the opinion of this house, that the late extension of the power of courts of admiralty in America, is highly dangerous and alarming; especially as the judges of the courts of common law, the alone check upon their inordinate power, do not hold their places during their good behaviour: And those who have falsely represented to his majesty's ministers that no dependance could be had on juries in America, and that there was a necessity of extending the power of the courts of admiralty there so far, as to deprive the subject of the inestimable privilege of a trial by a jury, and to render the said courts of admiralty, uncontrollable by the antient common law of the land, are avowed enemies to the constitution, and manifestly intended to introduce and establish a system of insupportable tyranny in America.

Resolved, as the opinion of this house, That the constituting a board of commissioners of customs in America, is an unnecessary burthen upon the trade of these colonies, and that the unlimited power the said commissioners are invested with of making appointments, and paying the appointees what sums they please, unavoidably tends so enormously to increase the number of placemen and pensioners, as to become justly alarming, and formidable to the liberties of the people.

Resolved, That it is the opinion of this house, "That all trials for treason, misprision of treason, or for any felony or crime whatsoever, committed or done in this his Majesty's colony by any person or persons residing therein, ought of right to be had and conducted in and before his majesty's courts held within the said colony, according to the fixed and known course of proceedings; and that the seizing any person or persons residing in this colony, suspected of any crime whatsoever, committed therein, and sending such person or persons to places beyond the sea, to be tried, is highly derogatory of the rights of British subjects; as thereby the inestimable privilege of being tried by a jury from the vicinage, as well as the liberty of summoning and producing witnesses on such trial, will be taken away from the party accused."

In the house of representatives, July 8, 1769.

A true copy.

Attest. SAM. ADAMS, Clerk of the house.

¶¶¶ The ordinary business of the assembly relative to the province we have purposely omitted, as falling more properly under the province of a news-paper, but we shall always think it our duty to give a full account of all political transactions in every part of the British empire.

*A friendly Hint to the Nation.*

AS the injured public seems at a loss for the reason why so unprecedented an indulgence is shewn to a late paymaster, why the passing his accounts has been from time to time protracted by signs manual, and treasury warrants, be pleased to publish the true solution.—That the REVERSION of the auditor of the impress's office is granted to the Thane's son; that the poundage on passing an account of forty two millions, at sixpence in the pound is no less a sum than one million and fifty thousand pounds; that the Thane's son is not yet in possession; that the auditor who actually passes the account is intitled to such poundage.—Is it not, therefore, manifestly for the advantage of the Thane's family as well as lord H——d, that the accounting should be procrastinated? And does not this combination of interest, explain the juggle by which the public is so shamefully defrauded, and the reason of the Thane's so sudden return?

ARISTIDES.

S I R,

S I R,

*Forewarned, forearmed.*

**T**HAT faithful historian, Rapin, under the reign of Richard II. in his introduction to that reign, observes, that "Edward the third (who immediately preceded Richard) having finished his *glorious* life, it was naturally Richard, his *grandson*, that was to ascend to the throne, as representing the late prince of Wales, his *father*."

As this case somewhat resembles another in *later* times, and some extracts and remarks have lately appeared in print, from the said reign, I take the liberty to add the following passage from the same author, as it stands in page 469 of Tindal's translation, first folio volume, viz.

"As princes (he observes) are always surrounded with *flatterers*, they fancy all the rest of the people are in the same sentiments, and, generally, it is *too late* before they *perceive*, that the *small* numbers they have gained, is a weak defence against the fury of an *enraged* nation. For a *while*, five or six hundred persons, who compose the parliament, and some hundreds of magistrates in the towns and counties, &c. seem to make the body of the nation, and the rest are *reckoned as nothing*; but a time comes when every single person must be taken into the *account*, and then the number of those that are in *office*, appears infinitely small, in *comparison* of the *rest* of the nation."

According to the same historian, Richard, not heeding or attending to such or the like sage reflection or advice, was afterwards deposed, and in the end poisoned!

Your humble servant,

A WELL-WISHER.

*Pall Mall, Aug. 7.*


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*To the noble, and not yet extinct race of Whigs, Revolutionists, Senators, the Cavendishes, Pelhams, Stanhopes, Saviles, with a long et cætera.*

*My Lords, Sirs,*

**C**ALAMITY, ruin, and confusion, are now pouring thick upon us, the blessed effects of a Stuart-lead in the administration for this last *decennium*, from the fatal moment when Harry Legge was accused of triumphing over the P—'s inclination, because he would not give up his royal master, and integrity, and join the Tory party for Sir S. S——t in H——re.

To the strange change of scene that followed, the late D. of D—re was witness, and too much a party: for it sunk his spirits, and shortened the life of the most amiable of men, and truest friend of his country and sovereign. But his boding, patriot fears, could scarce imagine evils equal to what we now experience. Our infatuation, with respect to America, is of the first magnitude; such as no Englishman could have conceived beforehand; and posterity will be amazed at it. I would first turn your attention to this most important subject. You have not, all of you, uniformly, and

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consistently,

Consistently, attended to the rights of your American fellow-subjects, as you ought to have done. They are the same with your own, in every respect. They are entitled to all the benefits and privileges of Englishmen, as much, and as fully as yourselves. They have lately, for no fault or misdemeanor of theirs, been abridged of these their just and ancient rights and privileges. They reclaim them modestly, but firmly; and with arguments unanswerable. It would be blasphemy against our free constitution, and against common sense, to dispute their claim. And yet, a set of court-hirelings in our public prints, daily dispute them. But they are poor, and must be forgiven.

If Mr. G. G——le and his friends, will not absolutely give up their illegal, unjust, and most pernicious prejudices against the colonies, and reverse every step they have taken against them, you my lords, and gentlemen, can have no alliance with them. If you join them on any other footing, you sink into a faction, and lose all your influence. Your enemies, who are now in power, see this, see your difficulties, and glory in them, as their prime hopes and strength. But continue firm to this principle, and to the Americans, and, sooner, or later, you must come into place and power, to the destruction of yours and your country's enemies. The nation universally wishes for you, and cannot be easy whilst in other hands.

One foul blot, indeed, sticks to you, which it becomes you to wipe off. You are accused, during the short interval of lord R——m's ministry, of being the instruments of *establishing* a popish bishop at Canada, and furnishing a precedent for putting Papists into offices of trust and power, as has been actually followed since, in Canada and the Grenades. This must have been a strange oversight, and, to me, utterly unaccountable, if you concurred in it with your eyes open. For, to attempt to qualify papists as civil magistrates, is annulling the very act of settlement, and uncrowning our sovereign; and opening a direct road for a Stuart usurper; an usurper that is now emerging out of his obscurity and coming again into play, under the countenance of his holiness, at Rome, and by the favour of our good friends the French, whom we so much worship, and to whose interest we are so tender, and whose ambitious aims, we have in particular, so cordially advanced, in suffering them to deprive the brave Corsicans of their liberties, and to make so vast an accession to their maritime strength.

*Junius on the Decision of the Middlesex Election in Favour of Colonel Luttrell.*

S I R,

THE Gentleman, who has published an answer to Sir William Meredith's pamphlet, having honoured me with a postscript of six quarto pages, which he moderately calls, bestowing a *very* few words upon me, I cannot, in common politeness, refuse him a reply. The form and magnitude of a quarto imposes upon the mind; and men, who are unequal to the labour of discussing an intricate argument, or wish to avoid it, are willing enough to suppose,

suppose, that much has been proved, because much has been said. Mine, I confess, are humble labours. I do not presume to instruct the learned, but simply to inform the body of the people; and I prefer that channel of conveyance, which is likely to spread farthest among them. The advocates of the ministry seem to me to write for fame, and to flatter themselves that the size of their works will make them immortal. They pile up reluctant quarto upon solid folio, as if their labours, because they are gigantic, could contend with truth and heaven.

The writer of the volume in question meets me upon my own ground. He acknowledges there is no statute, by which the specific disability we speak of is created, but he affirms that the custom of parliament has been referred to, and that a case strictly in point has been produced, with the decision of the court upon it.— I thank him for coming so fairly to the point. He asserts that the case of Mr. Walpole is strictly in point, to prove that expulsion creates an absolute incapacity of being re-elected; and for this purpose he refers generally to the first vote of the House upon that occasion, without venturing to recite the vote itself. The unfair, disingenuous artifice of adopting that part of a precedent, which seems to suit his purpose, and omitting the remainder, deserves some pity, but cannot excite my resentment. He takes advantage eagerly of the first resolution, by which Mr. Walpole's incapacity is declared; and as to the two following, by which the candidate with the fewest votes was declared *not duly elected*, and the election itself vacated, I dare say he would be well satisfied if they were for ever blotted out of the Journals of the House of Commons. In fair argument, no part of a precedent should be admitted, unless the whole of it be given to us together. The author has divided his precedent, for he knew, that, taken together, it produced a consequence directly the reverse of that, which he endeavours to draw from a vote of expulsion. But what will this honest person say, if I take him at his word, and demonstrate to him that the House of Commons never meant to found Mr. Walpole's incapacity upon his expulsion only? What subterfuge will then remain?

Let it be remembered that we are speaking of the intention of men, who lived more than half a century ago, and that such intention can only be collected from their words and actions, as they are delivered to us upon record. To prove their designs by a supposition of what they would have done, opposed to what they actually did, is mere trifling and impertinence. The vote, by which Mr. Walpole's incapacity was declared, is thus expressed:

“ That Robert Walpole, Esq; having been this session of parliament committed a prisoner to the Tower, and expelled this House for a high breach of trust in the execution of his office; and notorious corruption when a Secretary at War, was and is incapable of being elected a member to serve in this present parliament\*.”

Now,

\* It is well worth remarking, that the Compiler of a certain quarto, called *The Case of the late Election for the County of Middlesex*,

Now, Sir, to my understanding, no proposition of this kind can be more evident, than that the House of Commons, by this very vote, themselves understood, and meant to declare, that Mr. Walpole's incapacity arose from the crimes he had committed, not from the punishment the House annexed to them. The high breach of trust, the notorious corruption are stated in the strongest terms. They do not tell us he was incapable, because he was expelled, but because he had been guilty of such offences, as justly rendered him unworthy of a seat in parliament. If they had intended to fix the disability upon his expulsion alone, the mention of his crimes in the same vote would have been highly improper. It could only perplex the minds of the electors, who, if they collected any thing from so confused a declaration of the law of parliament, must have concluded that their representative had been declared incapable, because he was highly guilty, not because he had been punished. But even admitting them to have understood it in the other sense, they must then, from the very terms of the vote, have united the idea of his being sent to the Tower with that of his expulsion, and considered his incapacity as the joint effect of both.

I do not mean to give an opinion upon the justice of the proceedings of the House of Commons, with regard to Mr. Walpole; but certainly, if I admitted their censure to be well founded, I could no way avoid agreeing with them in the consequence they drew from it. I could never have a doubt, in law or reason, that a man, convicted of a high breach of trust, and of a notorious corruption in the execution of a public office, was and ought to be incapable of sitting in the same parliament. Far from attempting to invalidate that vote, I should have wished that the incapacity declared by it could legally have been continued for ever.

Now, Sir, observe how forcibly the argument returns. The House of Commons, upon the face of their proceedings, had the strongest motives to declare Mr. Walpole incapable of being re-elected. They thought such a man unworthy to sit among them. To that point they proceeded no further; for they respected the rights of the people, while they asserted their own. They did not infer, from Mr. Walpole's incapacity, that his opponent was duly elected; on the contrary, they declared Mr. Taylor *not duly elected*, and the election itself void.

Such however, is the precedent, which my honest friend assures us is strictly in point to prove, that expulsion of itself creates an

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Middlesex considered, has the impudence to recite this very vote, in the following terms. Vide page 2. "Resolved, That Robert Walpole, Esq; having been that session of parliament expelled the House, was and is incapable of being elected a Member to serve in that present Parliament." There cannot be a stronger positive proof of the Treachery of the Compiler, nor a stronger presumptive proof that he was convinced that the vote, if truly recited, would overturn his whole argument.

incapacity,

incapacity of being elected. If it had been so, the present House of Commons should at least have followed strictly the example before them, and should have stated to us, in the same vote, the crimes for which they expelled Mr. Wilkes; whereas they resolve simply, that *having been expelled, he was, and is incapable*. In this proceeding I am authorised to affirm, that they have neither statute, nor custom, nor reason, nor one single precedent to support them. On the other side there is indeed a precedent so strongly in point, that all the enchanted castles of ministerial magic fall before it. In the year 1698, (a period which the rankest Tory dare not except against) Mr. Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament. The Ministry have precluded themselves from all objections drawn from the cause of his expulsion; for they affirm absolutely that expulsion of itself creates the disability. Now, Sir, let sophistry evade, let falsehood assert, and impudence deny;—here stands the precedent, a land-mark to direct us through a troubled sea of controversy, conspicuous and unremoved.

I have dwelt the longer upon the discussion of this point, because in *my* opinion it comprehends the whole question. The rest is unworthy of notice. We are enquiring whether incapacity be or be not created by expulsion. In the cases of Bedford and Malden, the incapacity of the persons returned, was matter of public notoriety, for it was created by act of parliament. But really, Sir, my honest friend's suppositions are as unfavourable to him as his facts. He well knows, that the clergy, besides that they are represented in common with their fellow subjects, have also a separate parliament of their own;—that their incapacity to sit in the House of Commons has been confirmed by repeated decisions of the House, and that the law of Parliament, declared by those decisions, has been for above two centuries notorious and undisputed. The author is certainly at liberty to fancy cases, and make whatever comparisons he thinks proper; his suppositions still continue as distant from fact, as his wild discourses are from solid argument.

The conclusion of his book is candid to an extreme. He offers to grant me all I desire. He thinks he may safely admit, that the case of Mr. Walpole makes directly against him, for it seems he has one grand solution *in petto* for all difficulties. *If, says he, I were to allow of this, it will only prove, that the law of election was different, in Queen Ann's time, from what it is at present.*

This indeed is more than I expected. The principle, I know, has been maintained in fact, but I never expected to see it so formally declared. What can he mean? Does he assume this language to satisfy the doubts of the people, or does he mean to rouse their indignation? Are the ministry daring enough to affirm that the House of Commons have a right to make and unmake the law of parliament at their pleasure?—Does the law of parliament, which we are so often told is the law of the land;—does the common right of every subject of the realm depend upon an arbitrary capricious vote of one branch of the legislature? The voice of truth and reason must be silent.

The ministry tell us plainly, that this is no longer a question of right but of power and force alone. What was law yesterday is not law to-day : and now it seems we have no better rule to live by than the temporary discretion and fluctuating integrity of the House of Commons.

Professions of patriotism are become stale and ridiculous. For my own part, I claim no merit from endeavouring to do a service to my fellow-subjects. I have done it to the best of my understanding ; and without looking for the approbation of other men, my conscience is satisfied. What remains to be done concerns the collective body of the people. They are now to determine for themselves, whether they will firmly and constitutionally assert their rights, or make an humble, slavish surrender of them at the feet of the ministry. To a generous mind there cannot be a doubt. We owe it to our ancestors to preserve entire those rights, which they have delivered to our care. We owe it to our posterity, not to suffer their dearest inheritance to be destroyed ; but if it were possible for us to be insensible of these sacred claims, there is yet an obligation binding upon ourselves, from which nothing can acquit us—a personal interest, which we cannot surrender. To alienate even our own rights would be a crime as much more enormous than suicide, as a life of civil security and freedom is superior to a bare existence ; and if life be the bounty of heaven, we scornfully reject the noblest part of the gift, if we consent to surrender that certain rule of living, without which the condition of human nature is not only miserable, but contemptible.

J U N I U S.

*A Note from JUNIUS to the Printer.*

S I R,

I MUST beg of you to print a few lines in explanation of some passages in my last letter, which I see have been misunderstood.

1. When I said that the house of commons never meant to sound Mr. Walpole's incapacity on his expulsion *only*, I meant no more than to deny the general proposition, that expulsion *alone* creates the incapacity. If there be any thing ambiguous in the expression, I beg leave to explain it by saying, that in my opinion, expulsion neither creates, nor in any part contributes to create the incapacity in question.

2. I carefully avoided entering into the merits of Mr. Walpole's case. I did not enquire whether the house of commons acted justly, or whether they truly declared the law of parliament. My remarks went only to their apparent meaning and intention, as it stands declared in their own resolution.

3. I never meant to affirm that a commitment to the tower created a disqualification. On the contrary, I considered that idea as an absurdity into which the ministry must inevitably fall, if they reasoned right upon their own principles.

The case of Mr. Wollaston speaks for itself. The ministry assert that expulsion alone creates an absolute, complete incapacity to be re-elected to sit in the same parliament. This proposition they have uniformly maintained, without any condition or modification whatsoever. Mr. Wollaston was expelled, re-elected, and admitted to take his seat in the same parliament.---I leave it to the public to determine, whether this be a plain matter of fact, or mere nonsense and declamation.

J U N I U S.



*The following remarkable Address having engaged the Attention of the Public more than any Publication that has appeared for some Time; in Justice to the Author of the REMONSTRANCE to the King of MONOMOTAPA, printed in the 4th Volume of the POLITICAL REGISTER, Pages 129 and 193, we intreat our Readers to refer to that Piece, and to compare it with this Address, by which Means it will appear how far these two Writers concur in their Sentiments, wherein they differ, and which is most original.*

To the KING\*.

SIR,

**T**HOUGH the sacred Majesty of Kings ought not in common Cases to be approached by every little Busy-body or frivolous Remonstrance-maker; yet when our Prince's Palace is on fire, and his sacred Person in the Midst of the Flames, the meanest of his Subjects hath the Privilege then to give him Warning of his Danger, and to assist to quench the Fire. This, I am afraid, Sir, is at present too near our Case, or I would not have assumed the Boldness to disturb your Repose, or have placed myself so disadvantageously before your Majesty as I must expect to appear under the Character of a public Censor of the Manners of your Ministers, and a petty State-Reformer. But it is not I alone that am thus concerned and busy for the Public; the whole Nation are at this Time mournfully reflecting on the miserable State we are fallen into, from that happy and glorious Prospect of Things which we had in the Beginning of your Majesty's Reign. This hath put all Men upon Enquiry into the Causes of the unhappy Change of our Affairs; and I find it is agreed on all Hands, that the principal Occasion of our Misfortunes (or rather Mismanagements) is from the intrusting those with the Government of all, who are the irreconcilable Enemies to the Constitution of this Kingdom.

And yet there are some about your Majesty who (for base and private Ends) endeavour to possess you with the destructive Politics of courting and trusting the notorious Enemies of your Family, and would persuade you that the Jacobites and Tories are the only Party truly principled for Monarchy; and that on the contrary your Majesty's best Friends, whom they call Whigs, though they seated your Family on the Throne, are Haters of Monarchy, and are of Commonwealth Principles; or at best for making their Kings no more than Dukes of Venice, and Kings of *Clouts*. Now this is a Notion so false, so fatal to the Prosperity of your Affairs, and so dangerous to the very Being of your Government, that I cannot but think it highly necessary that this Matter should be fairly stated and laid before your Majesty. I am sensible how unfit I am for the Task, and how open I lie to a Charge of Presumption in attempting it. But as the Son of Cyrus, who was from his Birth dumb, broke Silence when he saw his Father in the Hands of his Murderers, so have I resolved to break through all impediments, and to endeavour to rescue my King out of the Hands of those arbitrary-principled Men, who have never fail'd to ruin all those Kings in this Country who have been-guided by them; and

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And

\* First printed November 1692. Our correspondent acknowledges that his copy is not very correct.

who will as undoubtedly bring you and your Affairs into as great Difficulties if you be not delivered from their Counsels.

And now, Sir, if I may presume so far, will your Majesty be pleased to examine what Honour, what Profit hath accrued to you or the Nation by your following implicitly the Instructions of those who have all along directed your Cabinet. For God's sake, Sir, cast up the Account of your whole Reign, and see what you have gained by exchanging *Whigs* for *Tories* and your *People* for a *Favourite*. Have not your Affairs gone backward both at home and abroad? Have not Mismatches been multiplied; Have they not cooled the Affection of your Subjects, and lessened the Respect and Consideration due to you from foreign States? Do not your Ministers obstruct all Business which ought to be dispatched, and dispatch all Business which ought to be obstructed? Do they not betray your Subjects, by delaying and deserting them in their most just Claims and Pretensions, whilst they comply with your Enemies in their most unreasonable Demands; Do they not connive at every Crime, and countenance every Oppression of the People; snatching from the Hands of Justice those whom the Law hath condemned to Death for Treason and for Murder? Would not such Ministers and Friends as these be less dangerous to you when professed Enemies, nay in Arms against you in the Field, than in your Council, Cabinet, and Offices? Undoubtedly they would.

But I know the common Answer to all these Kind of Complaints is, that it is more easy to find Faults than Remedies. If you please, therefore, Sir, we will consider of Remedies, and I think there may be some found out both easy and certain; and they are these:

First, Sir, be pleased to remove from your Person, Council, Confidence, and Offices of Trust, Men bred up and confirmed in Principles destructive to our English Government and hateful to your People; and to discountenance all State-Projectors and Mountebank-Ministers who make Wounds in the State, and pretend Disorders to recommend their own Quack Medicines, and to prescribe, as they term it, *essentially*.

Throw out, Sir, these *ACHANS* to be stoned by the People; who will otherwise, I fear, prevent God's Favour to you; who blast your Success abroad, and rob you of the Affections of your Subjects at home, with their ACCURSED THING, I mean that Tinsel—POWER—with which these Miscreants dazzle the Eyes of Princes and lead them out of the right Way. God is displeased with it: For uncontrollable and unaccountable Power is the Right and Attribute of God alone; And (as the Scripture tells us) *He will not give his Glory to another, nor suffer those to act as Gods, who are to die like Men*. Your People also are displeased with a despotic Power: for the Kings of England are bound by Laws, by mutual Compacts, &c. and if these are broken, *ENGLISHMEN*, who believe themselves Subjects to the *Crown* of England (as by Law established) and not Slaves to any particular Person who may chance to wear it; *ENGLISHMEN* in such a Case become impatient, angry, and at length perhaps not to be appeased but with the Punishment

hishment of their Oppressors. And whenever they see their Kings beset with Ministers of lawless Principles (those wholesale Merchants of arbitrary Power) they grow mistrustful and uneasy, and are apt in such Cases; to shut their Purses and open their Mouths. And give me Leave to say, Sir, that had not the People been made apprehensive and jealous by seeing those Men in Favour whose mischievous Methods they were so well acquainted with, and did so much abhor; had they not seen them without shame and without Controul, pouring the Wealth of this nation into their own Pockets: so far from murmuring, the People would have been well pleased if, instead of half a million; your ministers had demanded two; provided they had consulted therein your honour more than their own gain; and had thereby enabled you to discharge not only your own debts *completely*, but your father's too, which indeed by every law of honour, honesty and justice, are your own, and ought to have taken place of the augmentation of the Chief-justiceship in Byre, and all the other numerous corrupt Sinecures and Pensions.

An English King is the greatest Monarch upon Earth when he reigns in the Hearts of his Subjects; and all other Methods to Power and Greatness have hitherto been found, and I trust still will be found, ineffectual in England. I remember I once saw written over a Mercer's Shop, *Keep thy Shop and thy Shop will keep thee*; and though it be a homely Allusion, it is very applicable to the present Point—KEEP YOUR LAWS, SIR, AND YOUR LAWS WILL KEEP YOU. Support your People in their Rights and Liberties, and Queen Elizabeth shall pass her Royal Word for them; they will support your just Prerogative at home, and your Honour abroad. And, Sir, by the Way, do not let your Flatterers give you a cheap Opinion of a Power derived from the People, for it is undoubtedly from their Consent alone that all Power must come; and though the free Voice of the Majority of the People, may not at present be *thought* sufficient to appoint their own REPRESENTATIVE, there was a Time once when it was *found* to be sufficient to appoint a KING. Nor let this make you uneasy that your Title to the Crown is alone from the same free Choice of the Majority of the People: Revere that sacred Choice, and suffer not your Ministers by Corruption to weaken your own Claim in the Person of another; for believe me neither any PRINCESS, or STUART, nor your Ministers, nor all the polluted Lawyers who have spoken, or written, or voted on this Subject will ever be able to find you out a better.

In the next Place, discharge all Jacobites and mercenary Trim-mers from Offices of Trust and from Confidence, remembering always the Answer of our warlike and wise Prince King Henry the Fourth, who, upon a Complaint from his People against some of his Ministers, replied, "I know no Evil by these Men; but if they are thought by my People unfit for my Service, I shall not think fit to continue them in it."

But, Sir, *Purgatives* alone will not perfect the Cure of your Government, and restore it to perfect Health; you must make use of

*Alteratives* too; there must be a *Change of Measures* as well as a *Discharge of Men*. And the Method I would humbly offer is in general this,—that you would be pleased to follow this general Rule, always to beware of such Ministers, and to avoid such Schemes and Counsels as are similar to those employed and adopted throughout the Reign of every one of the Stuarts, and then you can scarcely err; for whatever is opposite to their Principles and Practices, is the direct Road to your Security and Success. But to be more particular,—First, Make the Interest of *England* your chief Design and Aim; and since you are born and bred amongst us, and it is to be supposed glory in the Name of *Englishman*, become intirely an *English King*. England is a Nation jealous of Rivals in her Prince's Favour, and thinks herself deserving of his Care and his Caresses. If the People of England think you have a favourable Opinion of them, they will deserve it; if not, they may perhaps at last be driven to deserve your worst Opinion too. This Humour of the Nation Queen Elizabeth found early, and applied herself so happily to it, as by this single Point to master all her Difficulties (the greatest it may be that ever Prince had to struggle with); whereas her Successors, the Stuarts, by contrary Measures brought themselves into very unfortunate Circumstances.

In the next Place, Sir, let me desire you to avoid concerning yourself in Elections of Members of Parliament, or influencing them when chosen. The Parliament is a sacred Part of the English Constitution, and, like the Israelites Ark of old, is not to be touched prophanelly, but with great Danger to those who touch it so; and therefore, Sir, it will be your true Interest to leave the People free to their Choice, and the Members *undisturbed in their Seats*, and free to their Opinions when chosen. The Practice of corrupting Elections, and the placing and pensioning of Members of Parliament, will always disgust the Nation; and they have Reason to resent it; for this is indeed to make a *Pump* of the Parliament, and by pouring in a *Pint* of Water to fetch out a *Tun*. Besides, if, for the Sake of a Vote, a Member of Parliament shall be placed in an Office of Trust he is not fit for, this is destroying the Government two Ways at once; for to speak in the old Phrase, it is making a Parliament of *Clouts* and officers of *Clouts* at the same Stroke. It is true, this is not a new Invention, and the Bulk of the People, who are never roused against evil Measures till they feel their Consequences, confine themselves to Murmurs only, as long as the Moderation of the Minister supplies the Place of the Constitution. But whenever a Minister (as rash and ignorant as wicked) shall exert that absolute Power which his Predecessors, tho' possessed of, cautiously concealed; when he shall totally annihilate our antient Government, by altering the very *Form* of Election, and by openly sporting with the fundamental Rights of the Subject, he will by such a Proceeding awake the People from their Dream of Liberty, and open their Eyes to their desperate Situation; he will most justly provoke them to enquire at last into their *long-lost* Right of *equal* and *true* Representation. The Event alone will prove whether the  
State

State was ripe for such Destruction, or whether the Minister pulled off the Mask too soon; and accordingly the Struggle will either be succeeded by a new Dawn of Freedom, or a long Night of Slavery close upon us.

Thus, Sir, I have set before your Majesty what in my poor Judgment is for your Interest to pursue, and what is for your Service to avoid, what will make your Majesty and this Nation happy, and what will make both unhappy, and I heartily pray the great, good, and wise God to direct, bless, and prosper your Majesty in all your Designs for the Good of these Kingdoms, and the Happiness of your People. If I have used too great a Freedom, or have offended in what I designed for your Service, I am sorry for it. I call God to Witness, my Plainness proceeds from my Zeal and Affection for your Interests, and the Prosperity of your Affairs, and not from any factious, saucy, or unmannerly Principle. I wish some abler Pen had taken upon him this Part, but I must own it has provoked me to see my Country and my King so forsaken; the one of Advocates, the other of *honest Counsel*; and this has urged me to take upon me these two Characters of Advocate and Adviser, for both which I confess myself very unfit: Not but that, as I said in the Beginning, I take it to be the Privilege, aye, and the Duty too of every English Subject (provided it be performed with a decent and due Respect) to lay before the King such Matters as may be dangerous to his Person or Government to be concealed from his Knowledge; for we are not tied up in England to Spanish Forms, where the King must be wet to the Skin if he whose proper Office it is be not in the Way to put on his Cloak: And I beg your Majesty to believe that what I have said is from a Faithfulness and Sincerity which will in all Accidents and Difficulties preserve me unalterably

Your Majesty's most loyal,

Most dutiful, and most obedient

S U B J E C T.

*A Letter said to have been written by the PRETENDER to a certain EARL his Relation, during his Retirement at Bareges, who answered it in Person, by paying a private Visit to the Writer at Rome.*

Dear Cousin,

**I**T is with the utmost pleasure, we see you pursue such vigorous measures for our restoration. We have learned from sad experience, that it is in vain for us to expect this happy event from the feeble efforts of the faithless Gauls. We and our loyal adherents have been the dupes, nay the victims, of their intriguing politicks. We are therefore determined never more to place any absolute confidence in their fallacious promises, which they regard no longer than they serve their own interested views. It is from the discontent and disaffection, which you are so industriously sowing throughout the whole British empire, that we hope the expulsion of the H——r family from our dominions.

Your administration has luckily revived the same quarrels,  
which

which proved the ruin of our family. If you prosecute your plan with the same spirit, with which you have begun, I doubt not but you will in a very short time render our rival as odious and contemptible, as was James the second of religious memory. You justly conclude, that when the minister has forfeited all esteem and regard, by obstinately persisting in schemes big with publick ruin, and is, notwithstanding the most violent clamour and uproar of the people, protected and trusted by the s—n, the e—n must soon lose all authority, and be held by a very precarious tenure. This was the fate of Edward II. Henry III. Charles I. and many other princes, whose names it would be tedious to mention. Their ministers, whose only views were to aggrandize and enrich themselves, brought destruction upon their own heads, as well as upon those of their masters. You are sensible, that this would be your case, if you were not sure of our coming to your assistance, and rescuing you out of the hands of the people. You may take our royal word for it, that when you have thoroughly drained the treasury, and embroiled the kingdom, you must take a French leave, and fly for refuge into our arms; they will be open to receive you, and to lead you back in triumph to our missed island, when the schemes, which you have laid under our direction, have had their full effect, and wrought the total ruin of our e—my.

In the mean time, do not spare the national money in bribing the majority, that they may be as obsequious as they were at the latter end of queen Anne's reign, and alter, when every thing is ripe, the act of s—t, by which every catholic branch of the royal line is for ever excluded. As they have already sold the rights of their constituents, and rendered themselves more insignificant than the parliaments of France, it is evident, that they will make no scruple of selling likewise their religion. They have already shown less conscience than the tory parliament, which was packed by Harley earl of Oxford, *to give the king his own again*. What reason have we then to apprehend they will boggle at such a trifling article; They will hardly be *choaked with cumins after swallowing camels*. For my own part. I look upon their concurrence as certain, as they will be willing to preserve at any price the authority, which they have assumed over the people, and the pelf, which they have acquired an incurable habit of sharing among their own body.

The grand point is to work up the passions of the people, as you have hitherto done, by a continued series of acts of tyranny and oppression, and to contrive every despotic measure, in such a manner, as to let the principal odium fall on the s—n and the r—l s—ly, that they, being deemed the chief authors of every evil, may close the affections of the nation, and become at last like our forefathers, the object of its vengeance. If you in conjunction with the rest of our good friends, can succeed in this particular, we have no doubt but our Commons will return to their duty and allegiance.

Our former attempts were founded on the disaffection of the northern part of our united kingdoms to the reigning family. You  
very

very sagaciously observed; that this body of our subjects was deficient both in men and money, and was consequently incapable of re-establishing our throne. You have therefore, with great prudence, followed the same plan in creating jealousy, distrust and disaffection in England, which was formerly used in Scotland. Nay you have gone farther. The massacre of Glenco, the decimation of the Highland regiment, and the disrespect shown to the Clans, which were the causes of the insurrections then, were but mere trifles, in comparison of the contempt you have shewn for Englishmen, and the infringements you have made upon their rights. May we not therefore soon expect a more powerful rising in our favour in the South; I think, if you continue to conduct affairs as you have done, there is little doubt of it. The people perhaps may not intend any commotion they raise, for our advantage. But let the storm once burst, and we shall find means to fish to some purpose in the troubled waters: the majority, for the sake of their wages, will stand our friends, and make another act of settlement.

Given at Rome, under our privy seal.

C. R.

*A Succinct Detail of the Transactions at the India-House, so far as they respect the Government and the Public.*

*Friday, August 11.*

AT a general meeting of the proprietors of East India stock, at their house in Leadenhall-street, Sir George Colebrooke informed the court, that the directors had received, at ten o'clock on Tuesday night, a letter from Lord Weymouth, one of his majesty's principal secretaries of state; and as they intended to lay the substance of it before the proprietors, (according to the desire of his lordship) begged for an half hour's indulgence, till an abstract should be made out. This was accordingly granted, at half past twelve, the clerk read an extract of the letter, which is in substance as follows:

'That the commission appointing the present supervisors to India, had been taken into consideration by his majesty's servants, and that it was their opinion, that in some respects it was *illegal*; that in an answer he (lord Weymouth) had received from the directors, respecting the appointment of a naval officer, with full power to adjust all maritime affairs in India, he was concerned to find, that they had not totally acceded to it, and therefore begged of the directors that they would reconsider of the commission in general, and lay the last article in particular, that of giving unlimited powers to a naval officer, to the proprietary at large.'

The directors said, in excuse for their not complying literally with the requisition of the ministry, that though they were willing to allow a naval officer a certain degree of power in conjunction with the governor and council of Bengal, yet they were cautious in acquiescing to the request at large, lest they might give up too much into the hands of any one person; and that Mr. Yorke was clear the commission was in every respect legal.

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The further consideration of this object was, by general agreement, deferred till Tuesday next; in the mean time the directors were desired to select and produce such letters, papers, or passages in them, as might give proper light into this interesting concern; and the business of the day, for which the court was called, went on.

*Tuesday, August 15.*

At a general meeting of the proprietors of East India stock, at their house in Leadenhall-street, by adjournment, Sir George Colebrooke informed the court, that the directors had received another letter from lord Weymouth, dated that morning, which he proposed being read. The proprietors assenting, the letter was accordingly read, and contained in substance as follows:

‘ That lord Weymouth had received an answer from the directors to his last, by which he believes they, partly, misunderstood him: for as to investing a naval officer with plenipotentiary powers at large, it was never his idea: all that he wanted to establish, being only such a share in the business of administration, as would be both for the good of the company, and the honour of the administration. That as his first letter, with theirs (the directors answer) were now both to be laid before the proprietors at large to prevent any future misunderstanding, he recommended *only* the discussion of the two following points:—first, the reconsideration of the commission; and next, the degree of authority proper to be invested in a naval officer. To the first of these, he said, as it was a point wherein its legality was demurred to by the servants of the crown, and the council of the company, he would not pretend to speak on; but in regard, to the second, as government, at the request of the company, in the 11th article of the last definitive treaty of peace with France, made conditions with several princes in India, it highly respected their honour, that an officer of *theirs* should be the principal agent in matters offensive and defensive.’

After the letter was read, Sir George Colebrook spoke to the following effect:

‘ Gentlemen,

‘ By this letter, I think, we shall be able to judge with more precision than hitherto, as the matter seems now to be reduced more to a point; however, as the directors have only received this letter a few hours ago, and have not had time sufficient to deliberate on it, I think that this court should be adjourned to a further day for the examination of it.’

After Mr. Sullivan, and several others, had spoke, the court was unanimously adjourned.

The speakers on this occasion were,

Sir George Colebrook, bart.  
M. Dempster,  
Mr. McIntosh,  
Mr. Fitzgerald.

Sir James Hodges,  
Governor Johnstone,  
Mr. Stewart,



*The following remarkable Letter in Support of the present Administration, written by one of their best Authors, having lately appeared in Print, and occasioned much Speculation, we have thought proper to insert it, with proper Notes suitable to the Subject, transmitted to us by a worthy Correspondent.*

THE intemperate rage of the present opposition will probably bring about a discovery, that under some future unpatriotic ministers, may be dangerous to public freedom. The inherent influence of the crown is found to demand nothing but firmness in its servants, to support its authority against all the efforts of faction. It is true, that the complaints of sedition are now too ill founded to stand in need of any great exertion of that power which the constitution has placed in the hands of the C——n. But the exertion, small as it is, sufficiently shews, that the force of government is even capable to withstand remonstrances against real grievances, should such in any future period exist.\*

[\* *A more alarming confession could not possibly be made to a free people, at the very time when it is publicly given out by the m——l agents, that the petitions that have been, as well as those that may be presented to the K——, will be treated with contempt, and the framers of them punished, if it can be compassed, as seditious and disaffected persons.*]

It is the consummation of folly in our pretended patriots to force administration to a discovery of a secret little known or attended to in this country. Men unacquainted with the theory of government, when they saw the tumults and insolences of the rabble, complained of want of force in the r——l authority. The power, however, existed, and only lay dormant from a want of vigour in those who held the helm. The wealth, the luxury, the debt of Great Britain, have lodged a force in the hands of government too powerful for an unpersevering opposition of mere clamour and noise. †

[† *The people of this country are no strangers to the power of the Crown, it is impossible they should, when they have at all times so attentively watched it, and so steadily opposed its undue influence, and every extension of it that appeared to be an encroachment on the constitution. Therefore administration has not been forced to a discovery of any hidden power of the crown. It is equally fallacious to assert, that this power lay dormant upon some late popular occasions, for want of vigour in those who held the helm. The friends of the unhappy victims who fell in St. George's Fields, together with the Freeholders of Middlesex, are of a very different opinion: according to them, the power and influence of the C—— has been exerted with uncommon force, violence or vigour, if you please, by those at the helm. But it is insulting to the highest degree to triumph over a lost people, by proudly declaring that the unhappy situation in which they are involved by their national debt has put it out of their power to preserve their freedom and independence: we are afraid it will fatally prove too true; for it was long*

*since foretold by our best political writers. However, this writer plainly shows what we have to expect from his masters, since he avows that they laugh at the complaints of the people, from a full conviction that the force of government, though conducted on a subversive plan, even though despotism were to stalk abroad unmasked, is sufficient, when the royal authority is fully exerted in the protection of its servants, to withstand remonstrances, against real grievances. What is this, more or less, than telling the people in few words—that slaves they found them, and slaves they shall remain ?]*

The disapprobation of the earl of Chatham, if true, and the coldness of the Earl of Bute, have not in the least staggered the ministry, or added any real force to opposition. The two noble Lords did not possess those conciliating manners that are calculated to carry influence into retirement. Rising into power in the decline of life, they left no hopes of their return into office, after their unaccountable resignations.

The interested never worship any setting suns ; and that pride, haughtiness, and reserve, which are the inseparable companions of astonishing talents, acquired no friends to the two Earls, whose affections or attention outlasted their actual possession of power.

If power is any real happiness, it is a mortifying consideration for any minister to outlive a consequence lost by his own folly. There is certainly a kind of charm in the possession of the cabinet, which all the tranquil pleasures of a philosophical retirement cannot compensate.

The two noble Lords just mentioned were, it seems, strangers to the disposition of their own minds, when they exchanged the premiership in the first nation in Europe for the inanimate insipidity of a rural and domestic life. They will, however, find it much more difficult to regain than to keep possession of power ; for they ought to know that it is consummate folly to quit a fort already in their hands, in order to take it afterwards by storm.

Upon a strict review of the state of parties in this country, there is less probability of a change than in times of much less opposition. The enemies of the present ministry are not friends among themselves. Though they all open batteries against the servants of the crown, they keep up flank fires upon one another. If Grenville likes Rockingham better than he does Grafton, it is only for his being less afraid of the party of the former, than of the abilities of the latter. If Chatham is civil to Bute, † it is that he wishes his Lordship should, by secret intrigue, clear the court of the present ministry ; and so, once more, open a field for his own decrepid ambition.

I am, Sir, Your's, &c.

V I N D E X.

[ † Bute is the idol worshipped by Vindex, and if the people will but submit to the maxims he advances, his aim will be accomplished, which is the restoration of his patron to the office of first lord of the treasury.]

7a

*To the Earl of B——, on his Return from abroad.*

My Lord,

**Y**OUR late sudden and unexpected appearance at court, hath alarmed every well-wisher to his king and country : I say, to his king, my lord, as it is more particularly in behalf of that amiable monarch, who now fills the throne of these kingdoms, I would now plead with your lordship — Strange times, indeed, when a subject need be solicited to serve, to save his sovereign ! Yet such are the times.—It is impossible to conceal or disguise the high degree of confidence and favour in which you stand, and have long stood with your prince. As you are to answer it, therefore, at the great and awful day of account before the King of Kings, make not use of that confidence to screen national delinquents, and convert so lively a portion of royal favour into deadly poison to his loyal and loving subjects. But I will waste no time in general declamation. I understand, on good authority, that your lordship is determined, at all events, to exculpate and protect your old friend, lord H——d. Be advised, my lord, reflect on the consequences ; reflect on that state of public execration in which you stand yourself, and how little you are able, while tottering under your own burthen, to support the accumulated iniquities of another. Besides, my lord, what means, what cunning, what device can be thought of, for his exculpation ? The culprit hath pleaded guilty. Of this his letters to my lord mayor and Mr. Woodfall, with the papers accompanying them, are a damning proof. For to what can we impute those officious unnecessary scrolls ? To what but conscience or cowardice ? To consciousness of guilt, or fear of punishment, or both. It is yet strange, that a conscience seared long since, and courage that never startled at a crime, should betray sensibility and fear, so long after every moral function is extinguished. It is strange, that a heart, without fear while it had feeling, should, after the loss of feeling, be subject to fear. Yet such, my lord, is the object about whose security you are so extremely solicitous. But how will you effect it, without his coming to a fair account, and refunding the ten talents entrusted to him ? In that case, indeed, he may wipe off some of the odium of his delay ; for I will venture to say, he has laid up none of them in a napkin. It is well known, however, what material objections your lordship has to this method. Your son has the reversion of the auditorship ; A———e is advanced in years, and forty millions is a prodigious sum of money. Of course, therefore, you will take other measures, nor will the paymaster's accounts be fully settled till the present auditor's decease. In the mean time, what will you do ? Will you obtain another reprieve by royal order to stop proceedings in the Exchequer ? This mode, my lord, has proved insufficient already. Suppose your lordship strikes a bolder stroke, and obtains a full exculpation from the th——. Precedents, the law of the times, will bear your lordship out ; at least M——d,

Y 2

B——n,

B——n, and N——n will defend you. We learn from history, that king Richard the second, (unhappy always in opposing the people) owed the loss of his crown to protecting his favourites against the call of justice. When his barons once took arms, and assembled, as they declared, for the good of the king and kingdom, and to remove traitors from the king, and whom they were ready to prove such in single combat, according to the custom of those times; the king interposed the challenge, and said the difference should be determined in the next parliament. Two days after he caused a proclamation to be published, which may serve your lordship as a specimen, if you think proper to adopt such a mode of proceeding.

“ *Richard, King, &c.* We hereby make known to all our liege and faithful subjects, throughout our whole kingdom of England, that whereas, Thomas duke of Gloucester, Richard earl of Arundel, Thomas earl of Warwick, have been, by certain persons who *little understood the truth of affairs*, defamed as traytors to us and our kingdom; we therefore having, as becomes us, with the highest deliberation, and greatest diligence, weighed the cause of such scandal, and most diligently to our utmost power, searching to the bottom for the truth, with the assistance of our council, do not find any thing done or acted by them worthy of the blot of *suspicion*, much less any scruple of evidence of their being guilty; whereupon, we have decreed to declare the said defamation to be false, unjust, wicked, and wholly void of all truth: and we do testify the said duke and earls to be worthy of *good fame*, and *innocent*, and not so much as *suspected of any crimes*: and as much as in us lies, and as we are able, we will approve, and maintain them so to be, and do take them henceforward into our special protection, &c.”

What think you, my lord, of such a proclamation as this? This is *white washing* with a witness, and would blanch an Æthiop pure as snow.—I know it bears, in your eye, a flattering aspect. You think it will be effectual. It might be so; but it might be fatal too; think of that, my lord, and to whom. Let us recur again to precedent.

In the beginning of the reign of king Charles the first, when divers petitions were presented by several knights of the shires, complaining of ship-money, projects, monopolies, and corrupt ministers (the neglect of which petitions was the fore-runner of all that unhappy monarch's misfortunes) it is well known, that Mr. Harbottle Grimston, speaking upon the subject of grievances, declared in the house of commons, that the dangers at home were greater than those from abroad; and that the diseases and distempers in the body politic were grown to that height, that for a cure, examples ought to be made; so that the causes and authors of the nation's miseries, might be as treacle to expel the poison of mischief out of others.

What was the consequence of this? The King began to be uneasy for his supply to be granted. The commons sat upon the grievances,

grievances, without any advances towards a supply: the King pressed the necessity of speed in their supply; and a motion was made in the commons, that there might be an order immediately made, that the first thing the house should consider of, should be the restoring of the nation in general, to the fundamental and vital liberties, and *then* to consider of the desired supplies.

Nor was this unfortunate king more successful in his applications to save the earl of Strafford; both the houses of the lords and commons, by most voices, found the earl guilty of treason: the king interceded, by himself and the prince, for his life, and for divers days could not find in his heart to set his hand to the warrant for execution. The fate of it was, that the parliament would not grant mercy to the earl, and would have justice from the king, according to their sentence, whether he would or no: they threatened, and were as good as their word, to set idle, and do nothing for public safety and settlement; the whole realm being in distraction, till the stroke was struck.

But I will go further, my lord, and suppose, for a while, that your friend is really innocent, and capable of exculpation; that the many black charges thrown out against him are false and groundless. Where a man is marked out, and unhappily grown the object of popular fury, their prejudices are not to be removed, though he evades their charge; they are convinced in themselves that he is guilty, and they will not rest from pursuing him, till they can find the means to bring him to punishment. They look upon his acquittal to be stratagem and artifice, and themselves to be such judges of his demerits, that though sometimes they may be deceived by finesses and craft, yet they are generally shrewd guessers at right and wrong, in matters of fact, and transactions of common life.

There is still another reason why aspersion and suspicion of guilt are dangerous to any man; this is, that civil commotions have been more than once prevented, by giving up the persons that are become obnoxious to the populace. What greater security hath lord H—— than had the unfortunate admiral Byng? When the punishment of delinquents is pressed by a nation, they but ill brook to have their remonstrance slighted; but can much worse bear to have a statesman screened, if they apprehend he has injured them in their public rights, or private properties.

Let me entreat your lordship, therefore, to let the above examples have their due weight; and if you have any prudent regard for your k——, your country, your friend, or yourself, to give up all thoughts of pecuniary emolument, by countenancing the delay of a final adjustment of the paymaster's accounts. Powerful as you are, you may not be able to withstand the wrath of an injured people: favourite as you are, you may become detested, as much as you are beloved, and even where you are best beloved.

Your's

C A I U S C A S S I U S.

On

*On the Administration of the Colonies : Addressed to the E——I of  
H——f——h.*

**A**S *Junius* has paid your brother in office, the D. of G. several warm addresses, on the wise management of his department, and, as your l——p has conducted the business of yours with the same wisdom and with the same success, there seems no impropriety in paying you the same compliment. And, that the public may the better judge of your m——l conduct, I shall endeavour to state the whole (as far as my memory furnishes me with facts) from your first appointment to the Board of Trade, to this period.

A peace being then concluded; a vast extent of territory acquired; and the nation, as far as ministerial influence would reach, made to assent and acknowledge, that though we had given up millions to a vanquished enemy, the continent of North America had been cheaply purchased; and, accordingly, were amused with the hopes of seeing new colonies rise, and had, indeed, solid grounds to expect everlasting springs of wealth from those already settled and cultivated. From hence every loss was to be repaired, every burden to be alleviated, and all past calamities to be softened into oblivion. This was the language of that very Board over which your l——dsh——p was placed. Have these blessings been produced? Or, have we a right to expect them from present appearances? Could they possibly succeed the measures you adopted? Your first attempts were to settle and cultivate the two Floridas, which, in America, are as Arabia in Asia; and may, in future, like it, prove the dwelling of desperate villains; but can never be made useful or advantageous to the state.

Your first attempt to regulate the ancient colonies was stripping them of their paper currency, which had been one of the greatest means of supporting their trade to these kingdoms; though you, at the same instant, saw (and must be supposed to concur in the measure) our own fleet, fitted out, to stop all the Mexican silver (which, alone, could have replaced the necessary medium) from finding its way to them. You, at the same time, recommended the laying heavy burdens on their West India trade, by which they were formerly assisted to pay the balance due to this country. You echoed back to the Premier the establishing those dangerous A——y-c——ts, which still continue dangerous and oppressive to the fairest trader; and, to complete the system, approved, and advised that fatal source of discontent, the stamp-act. Here, happily for Great Britain) ended your first *glorious* administration. Your second is like unto it: The influence of the Butean party, of which your l——dsh——p is undeniably one, unfortunately led

† We were obliged to postpone this address, to make room in our last number for pieces that were more temporary, but our worthy correspondent T. D. may be assured we never intended to omit it.

led the legislature into a measure similar to those I have just mentioned, which could be but awkwardly enforced by a secretary, whose sentiments were utterly against it. Hence it became necessary to discard him, and call for your assistance. The first matter of importance, (which, though very trifling in itself, became, by your l——p's *wise* management, not only important, but dangerous) was the circular letter of the Massachusetts's assembly, to those of the other provinces, written with innocence, replete with loyalty, founding with harmony, and dictated by reason and good policy; even this letter you represented to your S——n, as factious, seditious, &c. and fell into despotism yourself, to make them obedient, by ordering the vote to be rescinded, upon pain of their dissolution. You recommended sending troops and ships of war, to keep the peace. You should remember, my lord, these are not peace-officers, and, as might well be expected, they were the first to break it. To intimidate the people, you drew up Resolves, and an address to his m——y, founded on evidence from Governor Bernard, the commissioners of revenue, custom-house officers, and a few poor expectant and dependant creatures, whom your l——p corresponds with in Boston; and thereby, having imposed upon, and deceived the legislature, sanctified your despotism, at the expence of their last liberties; as appears in lively colours by the petition of Virginia assembly; and, to complete your plan of folly and iniquity, you have recommended his m——y, to confer honours on the man, who, though your friend and colleague, will never rise above a \* Proctor; for his inexpressible meanness, and a low cunning, are incompatible with the governor, or baronet.

Now, my lord, survey your measures, and their consequences, in a few lines, from which I beg you to draw your character, as a minister. Great and lasting blessings were promised: do they arise? or are they now felt or acknowledged by the public? The two governments of Florida have been very expensive; have buried vast numbers of those glorious sons of war, who fought our battles, delivered our country, and deserved our utmost care and tenderness. They produce nothing but diseases and lamentation. Taking away the paper currency of America, has, indeed, hushed the complaints of a few Scotch factors in Virginia; but, in return, has been attended with an immediate stagnation of trade, unparalleled distress, for want of a medium in the payment of British debts, and is cruelly felt in every corner of this kingdom.

Preventing the Spanish silver from the colonists, has proved still a much greater injury to the trade and manufactures of Great Britain, and has, for ever, I fear, lost us that, the most lucrative of all branches of commerce; and, oh! tormenting beyond expression! our enemies are rising in wealth and power, by the enjoyment of it. The burdens laid on such branches of commerce as we, from Europe, could not carry on, have had no other

\* This tool of oppression was a proctor in Doctors Commons.

other effects than disabling the colonies from paying for our manufactures. The admiralty courts have driven most merchants of eminence and spirit, out of a trade, which could not be secured by law from their greedy avarice, and unlimited power; and the stamp-act, had it been continued, could not have produced any neat revenue, when there was no money in the country; though it must be owned, it has been attended with the most dreadful mischiefs. The present revenues are founded on injustice, by yourself confessed to be anti-commercial, and the sums produced, do, by no means, pay the salaries and expences of collection, though the people have, all along, paid the duties, without resistance; but, on the contrary, the numerous myrmidons in the offices, must be paid out of other imposts. Hence, no benefit was intended to the public. Your pretence for enforcing and continuing these acts, is to preserve and support the dignity of Government, which every moment loses ground, by the force of reasoning; a firm, serious, spirited opposition, and unalterable determination of America. If you meant any thing by your commands to rescind, you meant to keep the colonies disunited: this very command united them to a man. The troops, and ships of war, have convinced the most phlegmatic in America, that their liberties were in danger, and that rigid virtue, only, must save them and their constitution: your peace-officers, and armed constables have been the cause of the only considerable riot which has happened. The sanction of the l——e, only proves your measures illegal; has made you more detestable, and immoderately increased their love for those men among them who stood foremost in the cause of liberty; and, though you have, hitherto, been able to deceive your s——n, and insult his subjects; though you have represented innocent and legal measures of seeking redress, as factious and rebellious; though you have endeavoured to drive the best of men to desperate remedies; they have disappointed your expectations, and will, by the aid of their fellow subjects in England, live to see you contemptible in the eyes of your r——l master, as you are now to them. I have enumerated most of the important measures which you have, while in power, recommended, or enforced; they are clearly, and, in general, diametrically contrary to the interests of this country, as well as America; many have been attended with consequences totally contrary to your own expectations and designs. You are come to your *ne plus ultra* (or, as your friend B——rn——d elegantly expresses himself, to the end of your tether) and you had better resign now, than increase your own perplexity, by adding new burdens to those you have already brought upon the whole British empire. I shall take another opportunity to explain your motives, your principles, and connections. Till then, I am, with due respect and obedience, your

L——d s——p's humble servant

JUNIUS AMERICANUS,  
AN



## AN IMPARTIAL REVIEW OF NEW BOOKS.

*A Letter to the Right Honourable Horatio Walpole, Esquire, written January 9, 1750-1, by the Right Reverend Thomas Secker, Lord Bishop of Oxford, concerning Bishops in America.* 8vo. 1s. Rivington.

**B**Y an advertisement prefixed to this extraordinary letter, we are informed that it was found among the papers of the late archbishop Secker; that it was written in consequence of a letter dated May 9, 1750, from the late lord Walpole, (at that time the right honourable Horatio Walpole, esquire, first commissioner for trade and plantations) to the late Dr. Sherlock, Bishop of London, which was communicated by the latter to bishop Secker, January 2, 1750-1; and that it is now printed in obedience to an order left with it under his grace's own hand, dated May 25, 1759, in these words:

*Let the letter, written by me to Mr. Walpole, concerning Bishops in America, be printed after my death.* THO. CANT.

It appears by this letter, that the scheme of sending bishops to America, which has lately been the subject of much altercation, and has contributed to increase the discontent of the Americans, was agitated, and under serious consideration, at the board of trade, in the year 1750. The expediency of the measure was referred to the bishop of London, who thought proper to communicate to Dr. Secker, then bishop of Oxford, lord Walpole's letter to him on this subject. A manifest error is to be found unworthy of those who undertook to print such a singular letter, in obedience to the order of an archbishop. For the letter-writer expressly thanks Mr. Walpole for communicating to him the letter he had written to the bishop of London; whereas in the advertisement it is said, the bishop of London communicated Mr. Walpole's letter to Dr. Secker. The archbishop certainly is to be believed, and the editor of his letter is desired to correct this error in a second edition, if the letter attains to a second edition; but if not, which is most likely, to make an immediate apology to the public. Especially as it serves to mislead the inattentive, who may be apt to conclude, that bishop Sherlock was as zealous in the impolitic scheme of sending bishops to America, as the late high-church archbishop; which, it is highly probable, was not the case since the scheme was dropt; and there is a strong presumption on the face of the archbishop's letter, that Mr. Walpole, and Dr. Sherlock were both against the measure. "The archbishop says to Mr. Walpole, that he cannot see the scheme in the same light that he does." And he certainly thought Dr. Sherlock had not made use of sufficient arguments to engage Mr. Walpole to adopt the measure, or he would not have written him the laboured letter in question, in support of his darling scheme. The editor is therefore requested to let the late archbishop stand upon his own bottom, and not to endeavour

to amuse us with the notion, that any of his brethren, so far back as the year 1750, concurred with him in advising a step, which nothing but bigotry and priestcraft could dictate.

It is now made known to the world, that all the stir that has been made for some time past about the appointment of bishops for America, was brought on the carpet by the late archbishop, whose character since his death has been extolled to the skies. But the public must decide upon this publication, how far the man who could revive a scheme for attacking the religious rights of his fellow subjects in America, at the most improper season, when their civil liberties were invaded, and had involved them in the most fatal disputes with the mother country, deserves the lavish encomiums that have been bestowed on him.

The arguments stated in this letter in favour of the scheme, are exactly the same as have been retailed in our news-papers, at different times, ever since we have been left at leisure, by an *ignominious peace*, to foment animosities and divisions amongst ourselves both at home and abroad.

The necessity of bishops in America, to administer confirmation, and to give deacons and priests orders to proper candidates, and to exercise jurisdiction over the clergy of the church of England in those parts, is founded on the following reasons :—That it belongs to the very nature of episcopal churches to have bishops at proper distances, presiding over them. And it is observed, that there never was an instance before in the christian world of such a number of churches, or a tenth part, with no bishop amongst them.

In reply to this, we beg leave to remark, that the whole of this argument falls to the ground, unless the archbishop restricts it to nations where episcopacy is the established form of church government ; in that case indeed it would be strange, if there were no bishops residing among them, or within some thousands of miles from them. But where episcopacy is not the established, nor the prevailing system, it stands only in the light of a tolerated religion in countries where episcopacy is the establishment. And, for this reason, no bishops are, or ought to be allowed. And accordingly we find there are not any in Scotland, in Holland, nor in our American colonies, though there are a great number of episcopals in each.

But the late archbishop was so well versed in the politics of this world, that, had it been for his purpose, he could easily have recollected a standing political maxim, which is no where more strictly observed than in England, with respect to the dissenters from the established religion, it is this :—*Newer to suffer any sect of religion, differing from the established church, to enjoy such privileges in the state, as may enable it to vie with the established religion, or, in process of time, to gain the ascendancy over it.*—This maxim adhered to with the impartiality which equity dictates, and which candour ought to point out to Christ's pretended vice-gerents on earth, must for ever put a negative on the appointment of bishops for

for the American colonies, where two sects in particular, *the quakers*, and what we call *the dissenters*, may be stiled the establishment. For if weak minds are caught by the external pomp and parade of religion, and by the assumed dignity and sacredness of prelacy, is there not a danger that many of the unstable members of their church may be drawn aside, that the episcopal party may in time grow to a formidable head, and by sowing the seeds of religious dissention among a people, who dwell together in unity and brotherly love, may disorder their whole constitution, disturb their police, subvert their particular regulations, calculated to promote industry and frugality; and in some future era, produce a more fatal division, and a more impolitic stagnation of their commerce with the mother country, than what prevails at present through the mad-headed operations of an imbecile administration, molesting them in the enjoyment of their civil rights.

But confirmation, says the archbishop, is an office of our church derived from the primitive ages, and when administered with due care, a very useful one. And if the Americans are denied it, unless they will come over to England for it; they are in effect prohibited the exercise of one part of their religion.

One would hardly imagine, that a protestant archbishop should have been so weak or bigotted, as to leave an order in writing for printing so idle a letter in 1769: at a period when moderation in religious opinions, and an indifference about immaterial ceremonies, is the characteristic of the times, and even the church of Rome is making some advances towards a reformation in these matters. Will the advocates for episcopising America, support this feeble argument of the late archbishop? I hope not: but lest there should be some among them so absurd: it may be necessary to remark, that the archbishop himself only pleads for the antiquity of the custom, and its utility, when properly administered. Now we will appeal to the clergy of the church of England at home, and fairly ask the question, if confirmation is not disused every day more and more, and if, notwithstanding, the people are prohibited the exercise of one part of their religion? We will take the liberty also to ask the rector and the curate of St. Martin's in the fields, if they ever once thought of asking the many grown-up lords and gentlemen, to whom they have administered the holy sacrament, as a qualification for posts of honour and emolument—*If they had been confirmed by a bishop?* Few rectors or curates would have the impertinence thus to catechise people of quality, and it cannot be doubted, that if the officiating priest had asked lord W—y—h, Mr. R—R—g—y, or that finical hackney wit George A—s S—n, such a question, he would have been roasted to death at Betty's before one in the afternoon, and have been the standing jest at Arthur's for a month. But we will carry the point a little farther; and venture to affirm, that one-half of the people, receiving the communion in the parish churches of London, have never been confirmed, and indeed how should they, unless advertisements for confirmation were as frequent, as for public enter-

tainments, in which case perhaps the right reverend fathers in God would complain bitterly of the fatigue of their holy offices, and of the expences attending such hard duty. *St. Peter*, if he really was a bishop, would not have been so embarrassed, for he would neither have tired his horses, strained the springs, nor have worn out the wheels of his coach on such an occasion.

If then so little attention is paid to the ceremony of confirmation at home, at a time when the morals of the people are totally relaxed, would it not be better to restore church discipline in this country, where it is so much wanted, than to be so solicitous about it in a country where the people in general are of a sober, virtuous complexion, and may be very safely admitted to the holy communion, though they have not been confirmed. Besides it may be presumed, that the end of confirmation is answered, if the clergyman who administers the sacrament to adults for the first time, simply interrogates them upon the grand articles of the christian religion, and receives a solemn verbal acknowledgment at the altar of their belief in them, and of their readiness to take upon them the vow made for them in baptism.

In another part of this letter, the archbishop observes, “ that if they have no ordinations in America, they must either send persons hither to be ordained, or take such as come to them from hence.” After having stated the inconveniences attending the sending their sons to be ordained in England: he draws an inference, that they must chiefly be supplied from hence; and adds this curious remark, which it is surprizing he did not alter, as he lived to see the *Scotch* devoted to government, though estranged from the public. — “ Not many in proportion will go from hence, “ but persons of desperate fortunes, low qualifications, and bad “ or doubtful characters, who cannot answer as they ought, the “ end for which they are designed; and it deserves observation, “ that a great part of *them* are *Scotch*. I need not say what chance “ there is that episcopal clergymen of that country may be dis- “ affected to the government.”

Thanks to archbishop Secker, whose pious memory will be undoubtedly held in veneration by the *Scotch*, we have now found out the original author of the odious national distinctions so much complained of by our northern brethren: and by giving our imagination a little scope, we may account for the propagation of them. The archbishop revived the dying embers which had been almost extinguished with the rebellion of 1745, by this letter to Mr. Walpole, written in 1750-1. John Wilkes and Charles Churchill; the first, from his connection with lords of the treasury, and of trade and plantations; and the latter on his private visits to the archbishop, which were frequent; got sight of this curious letter, and following his pious example, they attacked the *Scotch* lords and commons, in the *North-briton*, and gave them much the same character as the archbishop had given to the episcopal clergy of Scotland emigrating to America. But how Dr. Secker could be so out in his politics, or his editors, as to let such an observation be printed in 1769, is really astonishing. A very useful  
hint

hint to the public is thrown out by the archbishop, when treating of the limited powers to be granted to the proposed American bishops,—he says, “that one grand objection to the scheme is, the danger of increasing church power by means of such an establishment,” and adds—“for my own part, and I believe my brethren in general are of the same opinion, I have no imagination that bishops are intitled to, or that it would be right to give them, every where, the same powers and privileges, that we happen, by the particular constitution of this country, to possess here. Several parts of that constitution might, perhaps, full as well have been formed otherwise.—All our temporal powers and privileges are merely concessions from the state; and the act of parliament for the suffragan bishops, under which several were made in the last century, and others may now, exemplifies so fully the possibility of bishops without *peerages*; and consistory courts; that we need have no fear from appointing a few such bishops in America.”

As we do not remember that the bishops have ever stood up for the privileges of the people, or the defence of the protestant interest against the inroads of popery (except the seven worthy prelates who were sent to the tower in the time of that shallow tyrant James II.) it were to be wished, that the suffragan bishops for the future, were without *peerages*, as they are in general passive slaves to a——n, and only to serve increase the number of their tools.

As a proof of the archbishop's skill in politics, take the following passage.—“If the scheme should be brought into parliament, some members may oppose it, blinded by ill-will to the ecclesiastical part of our constitution. But surely these will not be many. Besides, the administration will *easily* quiet such of them as are their friends. Then the *stories* must be for bishops, if it be only to preserve their credit, and the remainder will probably find themselves too inconsiderable to stir.”

Upon the whole, the archbishop allows that the failure of so many attempts in behalf of this scheme, is presumption more than enough of there being some insuperable objection to it. Yet, notwithstanding, he advises the favourers of it not to give up the cause, because some great men have continued as steadily to approve, as others to disapprove of the appointment of bishops for America, and because it is certain that many designs have been long frustrated, or postponed on one account or another, which at length have been executed, and found beneficial.

Till some abler advocate than the late Dr. Secker shall arise to prove that it will be the interest of this kingdom to increase the unhappy divisions between Great Britain and her colonies, by as flagrant an invasion of their religious, as has been attempted of their civil freedom, this scheme will not be encouraged, but will be constantly rejected by those who have the management of the affairs of the colonies, as it was by the late lord Walpole, who appears to have taken infinite pains to ascertain the merits and demerits of the proposal; and to have put a negative upon it, after the most candid enquiries and mature deliberation.

*The Political Conduct of the Earl of Chatham.* 8vo. 1s. Becket.

**T**HIS remarkable pamphlet is written by a staunch friend of the earl of Bute, and of the present administration; the conduct of the former, who is the hero of the piece, is occasionally blamed, only with a view to make his character appear the more important, and the better to pave the way for his return to public employment, when the idle prejudices of the vulgar shall have subsided. The public may be assured that this is another production of the indefatigable *Vindex*, alias Mr. Richard W——n, author of the famous vindication of the d—— of G——n, which, like the present work had the support of lord Bute's political character principally in view. That our readers may be enabled to trace the resemblance of the two pamphlets, we beg leave to refer them to our review of *The Vindication of the D—— of G——n*, page 323 and 369, vol. 4. and as a farther proof that *Vindex*, and the author of the piece now under consideration, are one and the same person, we recommend the attentive perusal of the remarkable letter signed *Vindex*, already noticed in this number of our work.

We should not have been so particular in pointing out the writer of *the Political Conduct of the Earl of Chatham*, if some of our correspondents had not given us a hint that they imagined it was written by Mr. R——y, whose pen is equally devoted to the service of the ministry. Our thanks are justly due for the intelligence, and we are well assured that our candid friends will not be offended at the pains we have taken to establish our opinion, though it differs from the judgment they had formed on this occasion.

As the writer always discovered himself to be an enemy to the civil liberties of mankind, it will not appear extraordinary that the present pamphlet should set out with an oblique reflection on the revolution; or that he should degrade the true spirit of liberty, which has occasionally rendered itself conspicuous in this land since that happy era, into—a cry of liberty, which hath gone abroad in this country ever since the revolution, subjecting the people to every species of political imposition. To this clamour or cry about liberty, though little understood, our author thinks that ambitious and artful men have stood indebted for the high offices of state they have held since the accession of the house of Hanover, “for arming themselves with the prejudices of the vulgar they have often taken the cabinet by storm.” His words are too remarkable to be omitted, and certainly deserve no thanks from his present majesty, whose ancestors he represents as the grossest dupes that ever wore a crown. “What facilitated this democratical manner of rising to the zenith of power, was the accession of a foreign family to the throne. Unacquainted with the manners and policy of this country, it was not difficult to work upon their fears, and to veil from their eyes the power which the crown had actually placed in their hands.” Aware, however, that it was impossible to find the least shadow of truth in this remark,

mark, during the reign of George the first, whose distinguished political abilities exempted him from the imputation of being the dupe of artful or ambitious men, he designedly passes over that period, though he builds his maxim on the æra of his accession; and comes directly to his favourite point, which is uppermost in all his writings, abuse of the late king, and of his ministers, to whom he applies his argument. We shall now see who were the artful and ambitious men, who on the cry of liberty, arming themselves with the prejudices of the vulgar, presumed to force themselves into the cabinet, and held their station there by working on the fears of his late majesty, and veiling from his eyes the power which the crown had actually placed in his hands.

These were no other, according to our author, than *Walpole*, the *Pelbams*, and Mr. *Pitt*, so that he contrives to blacken all the friends of the revolution, and the old whig interest, by this comprehensive attack on those who rose in a democratical manner to the zenith of power. "*Walpole* overawed the nation with the power of the crown, and he terrified the king with imaginary and well contrived fictions of disaffection in the subject. The *Pelbams* trod in the steps of *Walpole*, and by the accession of family connections to the influence of the crown, reigned, if I may use the expression, with more security than their predecessors."

The audacity of this writer, whose constant aim is to establish the character of the present times, by vilifying the late king, and arraigning the measures of his faithful servants, was never more apparent than in the citation we have just given. If he has any sense of honour left, let him point out the instances in which the people were overawed with the power of the crown, during the late reign. Were any obsolete, vexatious claims revived to molest the subject in the quiet possession of his property? Was the prerogative extended in any one case, where the public was constitutionally interested? Was the dispensing power once exercised during that long reign? Was the power of the crown exerted to controul the operation of the laws, and screen the guilty? Was there any occasion given for petitioning the throne for a redress of grievances? Was there any motion made for petitions in any county in England, complaining that the people were overawed by the power of the crown? He will not dare to assert that this was the case: Is it not then the lowest degree of calumny and falsehood to charge the ministry in the late reign, with overawing the people by the power of the crown? No less insulting and injurious is it to the memory of George the second, to say that his ministers terrified him with imaginary and well conceived fictions of disaffection in the subject. Mr. Richard W——n knows but too well, that disaffection and disloyalty characterised one period of the late reign, and till he can make it appear that the unnatural rebellion in 1745, was imaginary, and that the behaviour of the secret abettors of a popish pretender at one of our universities, and in many of our capital cities, where his health and prosperity to his cause were publicly drank, attended with circumstances of solemnity, by

some who have since been caressed, and taken into the service of the present \* \* \* \*, were well conceived fictions of the ministry of those days ; he must appear, in the eyes of all dispassionate men, to be a slanderer of the dead, to serve the purposes of the living.

But we are told, " that Mr. Pitt, instigated by the success of " *Walpole* and the *Pelhams*, and possessed of no less ambition than " of means to gratify it in a popular government, had long fixed " a plan in his own mind to become the head of an *oligarchy*, " that might govern at once independent of the prince and of the people." We may venture to maintain, that such a plan never entered into the head of Mr. Pitt, whose elevation to power and continuance in it, solely depended on the opinion of the people. None but a madman would have advanced so absurd a position, especially after having lived to experience the falsehood of it.

In the next place, we are informed that towards the close of the late king's reign there were two factions subsisting in power—the *Newcastle* junto, who relied for success on the hold, which the treasury gave them, of *parliament* ; and—the family faction, headed by Pitt, which depended upon the favour and clamours of the people, but while each of them looked forward to schemes to establish an unrivalled and permanent power, they committed one error which proved fatal to both. Their plans ultimately depended on a life of more than seventy ; and they had fixed upon no resting-place for their engines, beyond an accident not uncommon at such an age. In the next page we find this error explained,—“ they had taken no pains to gain over, by previous “ respect and attention, *the quarter* from whence permanency in “ office was to be expected on the demise of the late king.” In short, they had not paid their court to the p——s d——r and the e—— of B——e. The Pelham faction had rendered themselves obnoxious at L——r h——se, by a course of injuries of many years, and Pitt by a recent desertion and breaking of promises had forfeited every claim to future regard. It was resolved, therefore, to commence the reign with a new ministry, but the great e—— of B——e did not think it advisable at that time, and our author blames him on this occasion, for he thinks he carried it into execution, at a much more improper season.

A want of political courage proportionate to his acknowledged ambition, is the only fault which this writer lays to the charge of his admired patron ; and we may judge from this,—that if lord B—— had carried every thing before him in a decisive, impetuous manner at all hazards, he would not have been blamed or deserted by his partisans, nor have stood in need of agents, who had more personal courage to carry his bold schemes into execution.—The present m——y having exceeded all their predecessors, in daring, unconstitutional measures, are therefore likely to continue in office, till such time as they have reduced the people to a state of indolence and inattention to public affairs, or have wearied them out, by persevering in their despotic system, and then their master the e—— of B—— will venture once

more



more to take into his hands the reins of government, which this political timidity would not allow him to keep, at a season, when there was any degree of personal danger to be apprehended from his continuing at the head of administration. That the present administration are pursuing the Machiavelian plan of government, adopted by his lordship when in office, is allowed by this writer, who takes every opportunity to expatiate on the power of the crown, and if his opinion of the present state of these kingdoms should become universal, then lord B—e may promise himself a permanency in the highest office of the state, durable as his life. His reasoning upon this point deserves the more notice, as he constantly makes use of it in all his pamphlets, letters, and essays.

“The increase of national wealth and consequence,” according to him, “has given a more solid power to the crown than it formerly derived from the opinions and principles of individuals. If the present age is too much enlightened to be swayed merely by attachment and reverence for the royal authority, it is too *prudent* and *interested* not to adhere to the fountain, from which emolument so largely flows. The crown, in short, by the number of places of trust and profit in its gift, has a much stronger hold of the obedience of the subject, than in days when *principle* was the only inducement to loyalty. Firmness in the prince is all that is necessary to establish his authority, for where the wages are so great, there never can be a want of servants to carry on, with vigour, the business of government.”

In other words the prince in the present situation of things, has no occasion to trouble himself about securing the affections of his subjects: if he can exert the power which the crown has lodged in his hands so effectually, by means of emoluments, as to attach to his service a certain number of servants, he may carry all his measures, good or bad, without consulting the inclinations or interest of the people; for the wages he pays will insure him success, whether he attempts innovations in the constitution of the kingdom, or calls for extraordinary supplies of money to pay these very hirelings, who are to make his royal will and pleasure supersede the established laws and customs of the nation, and the inherent rights and privileges of the people. If men are actually so interested in these times, that the crown can find it more advantageous to secure the loyalty of the subject by corruption, than to fix it on the firm basis of a righteous and equitable administration, it is totally useless to present petitions, and extremely absurd to expect the redress of any national grievances, especially when those grievances arise from that very conduct of the c——, which is to enlarge its authority, and enable the prince to reign independent of the opinions or principles of individuals. It is a great happiness for these kingdoms that a doctrine so unfavourable to freedom is avowed and maintained in the reign of a pious prince, from whom no fatal excesses

of the regal authority are to be dreaded. Yet it is our duty to declare, that if this subversive maxim should hereafter grow into a precedent, the subjects of Great Britain must no longer boast of their national freedom, for they will be abject slaves under a despotic monarchy; and though the prince may be well disposed, yet they will feel their yoke grow heavier every day, from the ambition, avarice, rapacity, and insolence of his servants, who will be always wanting to augment the wages of iniquity, by fleecing the people. In a word, it is a most lamentable thing to live in a time, when the servants of the British crown set the people at defiance, and proudly declare that they depend for permanency in office, on the power they have in their hands to extend venality and corruption, by means of profitable places, pensions, or other emoluments. What one act for the benefit of the subject, if it tends to limit the royal authority, or to check ministerial influence, can possibly be expected from the parliament of a nation, where it is publicly maintained, that the wages given by the crown to secure a majority in its interest, are too great to be resisted? And while the cause subsists, which way can the effect be prevented? Not by the dissolution of any one parliament; but the radical and only remedy will be entirely to remove the first cause of this change in our domestic politics: the only servants which the crown can attach to itself, with a view of extending the regal authority beyond the bounds prescribed by the constitution, are the representatives of the people; unless, therefore, the electors resolve to make the acceptance of a place or pension from the crown an absolute disqualification to serve in parliament, it must be confessed that the power of the crown will be sufficient to withstand all opposition that can possibly be made to the worst of measures, and to protect the most abandoned, tyrannic ministry on earth.

The application our author makes of his favourite doctrine, in his account of the political conduct of the earl of Chatham, is, that no future patriot, while the power of the crown is so great, will be able to force himself into the cabinet, or to rise to the zenith of power by the same democratical means as Mr. Pitt. And in support of this argument he gives a concise history of the different administrations, since the accession of his present majesty, from which it appears that the inclination or voice of the people has not once been consulted, either in the forming or dismissing of the several ministries that have governed during this period. And he fairly intimates that it would betray a want of firmness and resolution in the s——n to suffer any man to come into office, in consequence of popular favour or esteem. So that the hopes of all true patriots are now intirely blasted, for if the crown becomes so jealous of its power, as to exclude all persons from the high offices of the state, who by their virtue, integrity, and political abilities have acquired popularity, the consequence will be, that men will grow cool and inattentive to the interests of their country, and neglectful of those exalted characters, on whom, perhaps,

perhaps, the salvation of this kingdom depends, the very end proposed by this pamphlet. For if patriots, the friends of the people, the zealous protectors of their rights and privileges, are never to be employed in the administration of public affairs; their utility in private stations will be so very limited and circumscribed, that it will not be worth while to pay them that respect, and to make such powerful exertions in their favour, as has been customary, when there was a prospect of placing them at the head of the most important departments of government. In his account of the declension of the Grenville administration, he throws out this remarkable hint. "My lords the bishops, the best judges of ministerial permanency in the kingdom, began to *smell* a change of weather in the political sky, and they turned their faces to that quarter, from which the gale of royal favour was likely soon to blow." What a despicable idea does this writer, though a tool of the court, give of the right reverend fathers in God, who seem to be placed in the *h—e* of *l—s* with no other view but to give so many votes to the *m—r* for the time being, if he is likely to continue in office, or to the party on whom they imagine the royal favour will be conferred, when they *smell* a change.

We are likewise let into a secret, which we think the writer is very bold in divulging, which is, that the sentiments of the \* \* \* were against the repeal of the American stamp act, and, consequently, that the carrying that repeal occasioned the dismissal of the Rockingham ministry. At this period he accuses the earl of Chatham "of coming into power again on a different plan from that he had formerly adopted; he makes it appear that he had given up all attention to the favour of the people in 1766, and that he then studied how to govern them in that *summary* and *decisive* way, which suited the vehemence of his temper and his pride. And with this view he paid a proper attention to the inclinations of the \* \* \* , and *dispenſed* with an act of parliament by proclamation, a measure extremely flattering to the crown, as it came from a man who had raised himself to eminence by the favour of the people, and now took a step in extension of the royal prerogative, worthy of the genius and character of the friend of despotism, the earl of B—e. But though he had ceased to court popularity, our author tells us he could not stand the odium of the people, who had been accustomed to idolize him in office, and therefore being ridiculed without doors, and harrassed within; *the gout*, his convenient friend in every political distress, came opportunely to his aid, and he retired, if possible, with a worse grace than the earl of *Bute*, choosing rather to face the severest inclemency of the season, than to remain in London, in the mortifying absence of all his former eclat and political reputation. He is charged also by this writer with having concealed a design, under a compliment, in his late visit to *St. James's*, which was no other than a fawning solicitation for

“ place, which he had neither the firmness nor ability to retain  
 “ with honour to himself, nor benefit to the nation. Unfortun-  
 “ nately, however, for the family faction, *the Grenvilles*, the hints  
 “ and innuendos of the earl of Chatham were not understood at  
 “ court. The servants of the crown were too well established in  
 “ the confidence of the s——n to be shaken by the appearance  
 “ of a man, who has added the folly of age to his natural versa-  
 “ tility and inconstancy. The short trial of his abilities in 1766,  
 “ demonstrated, that however fit he might have been to move  
 “ with rapidity the wheels of government in time of war, he was  
 “ extremely improper to guide the machine with the more equal  
 “ motion, that best suits the days of peace. He dived again into  
 “ obscurity, and has ended with little lustre a political life, that  
 “ was splendid, if not worthy of some renown ”

From the whole it is evident, that from the moment Mr. Pitt had the folly to quit the house of commons, and to sink himself into earl of Chatnam, he lost his influence with both prince and people, and became the dupe of *Bute's* party, who now treat him with the contempt he has so justly deserved. But let Mr. Richard W——n reflect, that if he had continued the plain, spirited, honest William Pitt; and had strenuously opposed, instead of coming into terms with lord Bute, all the boasted power of the crown, which is now declared “ sufficient to resist the dictatorial insolence of popular clamour,” would not have been sufficient to have prevented his forcing his way to the cabinet, and procuring the removal of the grievances of the people. A recapitulation or summary review of the political characters of the heads of the several administrations already mentioned, follows after this account of the political exit of lord Chatham, and the pamphlet concludes with promising permanency in office, to the duke of Grafton, from his great abilities, and the want of influence with the people, or weight with the s——n, among the active heads of faction or opposition. *But still, as lord Bute only retired through timidity, and is otherwise described as a very great minister, who carried on the war against Spain with greater éclat than Mr. Pitt managed that with France, and concluded a most honourable and advantageous peace,—and as one who was courted, caressed, and taken into a coalition with every administration.—If his lordship should pluck up a spirit, and despising a feeble clamour without doors, resume the seals, there can be no doubt but Grafton will retire on proper terms. And the mirror of Scotland will guide the machine of state with that equal motion, that best suits the days of peace.*

*Continuation of the Swift, a new Political Paper.*

**I**T is with great reluctance we find ourselves under the necessity to remark, that this promising performance, which had so fair for the approbation of the public at the first setting out, is not carried on with that spirit, nor furnished with that variety of important matter, which might be expected from a Swift writer,

writer, who professes that he takes pen in hand to make a purse. We would not make an application of his advice that might alarm him, if it were not with a view of engaging him to a fresh exertion of his powers, that our prophecy may be averted; but it is very certain, that unless he speedily exhibits some striking manœuvre in the political walk,—no more money will be paid for his labours, and consequently we shall hear no more of the *Swiss—point d'argent point du Suisse*.

Our readers, however, are left to determine for themselves, when we have done our duty in pointing out the defects, on which we have grounded our opinion. After the perusal of three numbers, we have not been able to collect any new information relative to public affairs at home or abroad, any hints or instructions to the ministry, or to the nation in general; any proposals for the restoration of harmony and confidence between the \* \* \* and his subjects, or any advice for our political conduct, with respect to the powers of Europe; though these are the general and most useful topics for a political writer, whose province at this time is both delicate and arduous. Delicate, because it is impossible for him to please his \* \* \*, the ministry, the opposition, and the people, or, indeed, to avoid giving actual offence to some one or more of those, who have all a right to expect satisfaction from the perusal of his labours. Arduous, because if he would avoid disgusting his readers, and sinking into oblivion, he must feed them with novelty; and not retail to them from the store-houses of modern history, stale political anecdotes, and trite observations that have been presented to the public so often, under all the various forms the press could give them, that the mind being over burthened with them, peevishly rejects the *repetatur* of the same intoxicating doses.

The *Swiss* should therefore carefully have avoided falling into this error, yet unfortunately for him, and to the disappointment of the public, he has hit upon the poor expedient of representing Great Britain and France as two theatrical barns, occupied by two companies of strollers, under their respective managers. The stage and front boxes of the British theatre are occupied by the *peers*, the green boxes and slips by the *representatives* of the people, and the galleries by the commons at large. The rope dancers, tumblers, and principal actors, he observes, are always taken, either from the stage, and the front boxes, or from the slips and green boxes. As to the managers they are represented as hereditary, a *great mistake by the bye*, for they are elective; and a fine compliment is paid to the late k——, “who was an old fellow “of infinite spirit, and would suffer no man to tread upon the “toes of his meanest servant or customer.” This piece of respect paid to his memory, introduces upon the carpet the *French* strollers of Honiton, called the *Honitonian* company; and we are told that the *old Blandfordian*, in resentment of a former affront, and to repel some fresh injuries and encroachments, which had been made on the rights of his troop, the *Blandford* company, had engaged, for some years before he died, in an expensive *law suit* with

with the *Honitonians*, by which we are to understand the *late war*; and we have here, indeed, a very curious anecdote, which ought to exempt the *Swiss* from the charge of want of novelty in his writings, if it be true, but we are apt to doubt it. "It is said, the *old Blandfordian* would have decided the quarrel immediately, by sword and pistol, but the *Honitonian* manager chose the more tedious course of the law." We never heard before that his late m——y ever challenged the French king to decide the differences, which gave rise to the last war, by sword and pistol; and though we will readily allow that the good old k—— would have laid down his life for his subjects, in whose cause he risked it more than once in the field of battle, the inexpediency of such an offer is too glaring for it to gain credit. Which way could single combat between two sovereign powers decide the claims of the contending subjects of each, to particular tracts of land, or commercial connections? Certainly no, it must be the general force of arms, and the firm possession which conquest gives, that alone can terminate such disputes. The *Swiss* therefore is reprehensible for representing the *old Blandfordian*, who was a sound politician, and though a brave, yet a prudent warrior, as a fool and a madman.

"The old Blandfordian dying suddenly, in the midst of triumphs and successes, his grandson succeeds him, and though the old man had left him an excellent troop, with Mr. Pitt at their head, who cut such capers, that the country people began to think the devil was in him, that he was enchanted, and that there was nothing he could undertake, but what must succeed with him; the young manager did not thoroughly like him, and just as he was going to take a higher leap than ever, he gave him a sly twitch by the jacket, and brought him flat on his back, upon which he instantly quits the stage, and a Scotch highland piper takes his place, through the recommendation of the mother-manager, this brings on the negociation for the late peace, and the character of the arbitrator employed by the Scotch piper to conclude it, is thus defined,—“He was an old blind usurer,—a fellow immensely rich, though really not worth a groat, for he never had a groat for a generous purpose. Nobody doubted his loving the French company and their dances better than the English, yet it was not compassion for the ruined state of the former, that moved him to make the peace, for compassion was a feeling foreign to his nature; it was never fully proved to be bribery and corruption, for it was never known he received any thing from the French manager, but a papier-machée snuff box; and even that would not have been known, if it had not been pickt out of his pocket some years afterwards, at a public hop at Blandford. The motive he himself assigned was, the great advance of the poor’s rates in his own parish.”

Mercy on us! it is better to be a wandering jew, than a christian d—— of B——d with such a character.

The continuation of what the *Swiss* calls the delightful and instructive history of the theatrical barn, is postponed to make room

room in the next paper, for the appearance of the person mentioned in the first number, as having advised our author to fix on the *Swiss* as the properest title, under which, to offer his services to the public. The *Swiss* calls this friend his *otherself*, and distinguishes him by the name of the *Spartan*, who represents himself as having made invariable uniformity and consistency of character, the *simplex duntaxat et unum* of Horace, the pride and business of his life. He recommends the same plan to our author, and the title of the *Swiss*, as admirably suited to keep it up without reproach, for the *Swiss* may be uniform and consistent with his principles, to fight for them that pay best, whether he writes for, or against administration. And the *Spartan* further observes, that many vicious characters have been remarkably uniform and consistent in their conduct. Whereas the most esteemed characters have been as particularly inconsistent: Lord Chatham is produced as an instance of the latter, and Col. Charters of infamous memory, with his grace the d— of G—n, of the former. The proofs of the premier's consistency, are given in a series of public misconduct, which includes the cases of Wilkes, Allen, MacQuirke, &c. and we are sorry to find the same sentiments adopted, the conduct of the same minister arraigned for the same facts, and the very same words almost literally made use of, by another friend of our author, who corresponds with him on the subject of the *Spartan's* consistency, and under the signature of *Iago* gives us over again, all these common worn-out topics; for the truth of this observation see No. iv. p. 26. and No. v. p. 31. All the difference between *Iago* and the *Spartan*, is, that the *Spartan* recommends uniformity and consistency, and holds out the d— of G—n, lord M—f—d, and lord H—d, as consistent in obnoxious measures; and that *Iago* makes his ideas of *consistency* to *confist* in *being consistently inconsistent*; and on this definition he accounts for the conduct of the premier, of the d— of B—d, whose snuff-box is again brought up, of lord C—m, and George O—w. To conclude, there is such sterility of sentiment, and of political matter, that the facetious disposition of the author will not atone for it. In a production of this species we must be informed and instructed, as well as entertained.

*The PLEBEIAN, or the Grievances of the People, No. 1.*

**P**ROPOSES to undertake the cause of the common people, whose situation is represented as truly deplorable, arising from the grievous and enormous taxations on many of the necessities of life, and from the amazing progress daily making in the diabolical scheme of monopolizing and engrossing them. To this last evil our author attributes all the discontents, tumults, and disorders, which have disquieted the kingdom for some time past. Here he is a little out in his politics, for the price of provisions has nothing in common with those grievances, which have been the occasion of the principal popular discontents. Such as deprivation of the freedom of elections, of trial by juries, the embezzlement of the public revenues, &c.—but our author pro-

misses

nishes to detect the infamous monopolizers and forestallers of the necessities of life, and to hold them out to the public in such odious colours, that the legislature may be induced, from the perusal of his account of them, to take some measures to remedy the evil. Indeed, as he observes, "it is surprising that nothing important has been done in this affair; notwithstanding the royal recommendation of our beloved sovereign to the last parliament, to enquire into, and put a stop to this dangerous and pernicious practice." A paper founded on such a benevolent plan, cannot fail of meeting with success, if the author fulfills his engagement with the public; for which purpose we hope he has taken pains to go to the bottom of the engrossing scheme, and that he will not only convey some important information, but also acquire himself with honour, in the more difficult province, which has puzzled our legislators and justices of the peace, of applying a sufficient remedy to this sore disease in our body politic.

L O N D O N, August 24.

This day the following Gentlemen waited on his Majesty at St. James's with the Petition from the Freeholders of the County of Surry:

The Hon. Peter King.	Joseph Martin, Esq;
Sir Francis Vincent, Bt.	An. Chapman, Esq;
Sir Jos. Mawbey, Bart.	Joseph Clarke, Esq;

Sir Anthony Abdy Bart. met the above Gentlemen, previous to their going to court, at the Thatched-house tavern; but being greatly indisposed with the gout, could not attend them to the palace.

On the King's return from the drawing room, Sir Francis Vincent, Bart. the worthy Representative of the County, presented the Petition to his Majesty, which was most graciously received, and is as follows:

To the K I N G's Most Excellent Majesty.

The humble Petition of the Freeholders of the County of Surry.

' Most Gracious Sovereign!

' WE, your Majesty's most dutiful and loyal Subjects, the *Freeholders* of the County of Surry, from a grateful Sense of the inestimable Blessings which this Nation has enjoyed under the mild and equal Government of your Majesty, and your illustrious Predecessors of the House of Brunswick, and from a steady Attachment, Zeal, and Affection to your Royal Person, and Family, think it our Duty to join with our injured Fellow-Subjects in humbly offering to your Majesty our Complaints of the Measures adopted by pernicious Counsellors, who, we apprehend, have countenanced and advised a Violation of the first Principle of the Constitution.

' The Right of Election in the People, which is the Security of all their Rights, is also the Foundation of your Majesty's; we cannot therefore forbear being alarmed when we see that first Principle violated in the late Instance of the *MIDDLESEX ELECTION*.

' We have seen, Royal Sire, with great Concern, an Application of the *Freeholders* of the County of *Middlesex*, made by their humble Petition to the House of Commons complaining of that Measure, defeated; and it is with the utmost Reluctance we now find ourselves constrained to appeal to your Sacred Person, from whose Justice and Goodness we can alone hope for Redress.

' We therefore most humbly implore your Majesty, that you would be graciously pleased to give us such Relief as to your Royal Wisdom shall seem meet, by an Exertion of that Prerogative which the Constitution has so properly placed in your Majesty's Hands.

' And your Majesty's Petitioners shall ever pray, &c.'

The Petition was signed by 1494 Freeholders, which Number was deemed sufficient, as several Gentlemen, who were appointed to present it, were obliged the next Week to go into distant parts of the kingdom, and as they are certainly a great majority of the Freeholders resident in the County.

In several parts of the County the Petition was never once offered, owing to the want of time for that purpose.



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T H E

# POLITICAL REGISTER

For O C T O B E R, 1769.

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N U M B E R XXXI.

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*A full Vindication of the Livery of London's Petition to his Majesty, as to the Charge upon the Ministry of raising a Revenue in our Colonies by Prerogative.*

To the Printer of the POLITICAL REGISTER,

S I R,

**T**H E writers for the present ministry have been so long practised in scandal and abase, falshood and misrepresentation, that it would be as vain to seek for truth, fairness and decency in them, as wisdom and public spirit in their masters.

I should be glad to know what reason can be assigned for this unnatural deviation from all that is good and manly; what plea they have to offer in their own defence, that can carry a little more weight than the common one, of the virtue of the age they live in, in which no man is expected to sacrifice a dinner to truth and justice. The solution of this difficulty, I recommend to Creon, as a proper subject for his next essay on moral obligation. In which, (if his genius will stand his friend) he may introduce a moral justification of that man, who, while he enjoys a pension of three hundred pounds per annum, publicly declares, he receives nothing from the government, but that protection which every subject enjoys in common with himself.

Suppose it be granted, that the tenure by which these writers hold their pay, places or pensions, may be an obligation, occasionally to forswear what they know; even in that case, no power on earth can oblige them to believe what they swear. Therefore,

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the best chance we have to sift the truth out of gentlemen under such embarrassment, must be by reversing the practice relating to evidence, and examining them not upon their knowledge, but their belief.

I do not introduce these observations as a new discovery, or a matter of information to the public. The attentive reader, no doubt, has long ago observed the same himself. My view is only to put the unwary reader, who is not so well acquainted with these gentlemen, upon his guard against being imposed upon by their representation of facts.

Philo Britannia has distinguished himself, in the Public Ledger, of the eighth of August, by his low unmanly abuse of that respectable body, the Livery of the city of London, on account of their late petition to his Majesty. His attack upon the eighth article of their complaint, may serve for an example of his method of operation. The success of this manœuvre shall be the subject of our present inquiry.

To prevent all misunderstanding, it will be expedient to give a fair and true copy of the eighth article of complaint from the petition itself, rather than to depend upon this author's partial quotation. This charge upon the ministry is, that "They have established numberless unconstitutional regulations and taxations in our colonies. They have caused a revenue to be raised in some of them by prerogative. They have appointed civil law judges to try revenue causes, and to be paid from out of the condemnation money."

Philo Britannia has prudently slipped by the latter part of this complaint; and, perhaps, he would have acted full as wisely, if he had done the same by the former part of it. But that was too heavy a charge upon his masters, to be suffered to pass without some notice. The following are his remarks upon it.

"From hence an impartial reader would infer, that the ministers had raised taxes and promulgated laws over the colonies, without the authority of parliament, or any other than their own mere will and pleasure. If that is the case, they are highly culpable and punishable." And again, "If no taxation or regulation has taken place in America without parliamentary authority, who is arraigned by this article? The ministers or their masters?"

The last question stands in need of an explanation. For, really, I am not so well acquainted with the ministers, as to know whom they call their masters, or, whether they acknowledge any masters at all, or not. And yet, I must allow, that ministers of state are no masters known to the constitution of Great Britain.

It is evident, this author intended his remarks should be understood as a flat denial of the fact. He certainly must know they would be so understood. For, nobody can believe he would dare, publicly, to charge the ministry with being highly culpable and punishable; which he undoubtedly has effectually done, if he allows the fact to be true. I must beg leave here, to ask this author one question. Do you not in your conscience believe, that taxes have

have been levied, and are now levying, upon our colonists in America, by virtue of the prerogative royal, without any authority by act of parliament? If you were ignorant of the fact, you ought to have been a little more modest in your abuse. The Livery of the city of London might without any breach of the laws of truth and decency, have been allowed a more respectful treatment, than you intended by calling them, "The vociferous patriots of Guildhall:"

Since I have taken the liberty to ask Philo Britannicæ one question as to his belief, I will be so open with him as freely to tell him my own; which is, that it will answer no valuable purpose to himself to convince him of the truth of a fact, which he has had the misfortune to deny. But, as it is a matter of great moment to the public, that they should be set to rights with regard to a fact so interesting to them, I here send you a letter, formerly published in the North Briton, which will establish the fact beyond all dispute. If Philo Britannicæ be not pleased with this republication, let him reflect, that he should have had more wit than to make it necessary, by insinuating that the complaint was groundless.

*Quos Deus vult perdere, prius dementat.*

**I** B E G leave to introduce the following reflections, upon a most interesting subject, with a quotation from the great Mr. Locke's treatise upon government.

"The supreme power cannot take from any man any part of his property without his own consent. For the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires that the people should have property; without which they must be supposed to lose that by entering into society, which was the end for which they entered into it; too gross an absurdity for any man to own! Men therefore in society having property, they have such a right to the goods which by the law of the community are theirs, that nobody hath a right to take them, or any part of them, from them, without their own consent; without this they have no property at all. For I have truly no property in that which another can by right take from me when he pleases, against my consent. Hence it is a mistake to think that the supreme or legislative power of any commonwealth can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure.—A man's property is not at all secure, though there be good and equitable laws to set the bounds of it between him and his fellow subjects, if he who commands those subjects, have power to take from any private man what part he pleases of his property, and use and dispose of it as he thinks good.

"But government, into whatsoever hands it may be put, being instituted with this condition, and for this end, that men might have and secure their properties, the prince and senate, however it may have power to make laws for regulating property between the subjects one among another, yet can never have a power to take to themselves the whole or any part of the subject's property, without their consent. For this would be in effect to leave them no property at all.

“ It is true, governments cannot be supported without great charge, and it is fit every one who enjoys his share of the protection, should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent; i. e. the consent of the majority, giving it either themselves, or by their representatives chose by them; for if any one should claim a power to lay or levy taxes on the people, by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government.”

These judicious observations and unanswerable arguments of Mr. Locke, will be read with the highest pleasure, by every subject of the crown of Great Britain, when he reflects that the grand point here established is, by the constitution of the government under which he lives, effectually secured to every member of the community; and will continue his birthright as long as that constitution shall remain inviolate and in its full vigor. But let it be remembered, that it will be in vain to claim this right, although the title to it be ever so indisputable, when we have by carelessness or complaisance once quitted possession of that power which must maintain it.

“ The house of commons is the guardian of the rights and liberties of the commons of Great Britain, a third part of the legislative power, and one of the three estates of the kingdom; which being instituted as checks and counterpoises to one another, for the better securing our liberty against all, have their distinct and separate rights, privileges, and powers, as well as common, which ought to be kept sacred and inviolate; otherwise our constitution is lost. For whensoever any one of these becomes subordinate to, and dependent upon either of the other, the civil balance, wherein lies our security, is destroyed.

“ All attempts upon the rights of any of these are dangerous to the whole, especially those of the commons; who being vastly the majority, and the only indispensably necessary part of a commonwealth, their safety and security ought to be consulted and provided for, before that of any branch, and even against it, if ever they shall happen to be inconsistent. Our constitution itself, so long as it shall be preserved unbroken, is a sufficient guard against any invasion upon any of them, by open violence; no one of the three estates being intrusted with so much power, as to be able forcibly to take from either of the other, any of their rights.” Hist. of the parl. 1707.

The greatest or only privilege the commons of Great Britain have reserved to themselves, which can secure their freedom, and their independence as a branch of the legislature, is the power of granting money for the use of government; of appointing the manner in which it shall be raised, and the purposes to which it shall be applied: which includes also a right to be informed afterwards how it has been disposed of.

The strength of this barrier to the liberty of the subject is so secure and effectual, and has in fact proved so insurmountable an obstacle to the schemes of ambitious and despotic men, that all their wit has been more than once employed in endeavours to re-

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move it, either by force or artifice; though, thank God, hitherto without success. Ministerial attempts for this purpose, when obstinately pursued, (besides the public vengeance upon themselves) have already cost one king his head, and another his crown.

It ought here to be mentioned to the honour of the representatives of the commons of Great Britain, that, even in the most complaisant times, the house of commons has never yet betrayed its trust in this most interesting case; but always most strenuously defended this just and truly important right of the commons. Nay, when necessity has required it, they have resisted, even unto blood, rather than submit to that unconstitutional claim of the crown, a power of levying money, and imposing taxes upon the people, under pretence of prerogative. And at last when the government was dissolved by James the second, the agents for the kingdom, even in that emergency, nobly stood out from electing even William the third to be their king (although they looked upon him with gratitude as their deliverer) until he had agreed to the following condition, among others, particularly inserted in the declaration of rights.

“ The levying money to or for the use of the crown, by pretence of prerogative, or without grant of parliament, for longer time or in other manner than the same is or shall be granted, is illegal.”

I hope I may now, without offence, say, that a king of Great Britain has no such prerogative. It is a prerogative of the subjects of Great Britain to tax themselves; a prerogative, committed in trust by them to their representatives; and is, perhaps, the only prerogative they have, effectually to secure their independence as a branch of the legislature. If this is once given up, all pretence to liberty and property afterwards must be ridiculous; and will certainly be treated as such, even by those men, who are ready enough to promise very fair beforehand, in order to obtain an indulgence with a power which promises so very much to the aims of ambition; but which a free people, whilst they continue in their senses, will never trust in the hands of the executive of the government.

Those who are most desirous of such power, are least fit to be intrusted with it. They ask for they know not what. If they should obtain their request; in the first act, the world would probably be set on fire; but the next would certainly end with finding themselves involved in the fate of Phaeton.

I am at a loss to reconcile with the declaration of rights, and those revolution principles upon which our constitution stands, the levying money and laying taxes upon the British subjects in the West Indian islands, by virtue of the prerogative royal, for the use of the king, his heirs, and successors.

It is probable that many readers will stare at this intimation, not believing it possible for a ministry, at this time of day, and under a British king, to run so precipitately upon their own ruin. But that I may not appear to talk without book, and as I am unwilling to misrepresent the case, I will give you an extract from one of the letters patent, which may serve as a sample of the other four.

“ Whereas

" Whereas the island of Tobago was *conquered* by us during the late war, and has been ceded and secured to us by the late treaty of peace, &c.

" We have thought fit, and our royal will and pleasure is, and we do hereby, by virtue of our prerogative royal, order, direct and appoint, that an impost or custom of four and a half per cent in specie shall, from and after the 29th day of September next ensuing the date of these presents, be raised and paid to us, our heirs and successors, for and upon all dead commodities of the growth and produce of our said island of Tobago that shall be shipped off from the same.

" And we do hereby require and command the present governor and commander in chief, and the governor and commander in chief for the time being, and the officers of the customs in our said island of Tobago now and hereafter and for the time being, and all others whom it may concern, that they do respectively take care to collect, levy and receive the said impost or custom according to our royal will and pleasure signified by these presents. In witness whereof we have caused these our letters to be made patent: Witness ourself, at Westminster, the 20th day of July, in the fourth year of our reign,"

By writ of privy seal,  
York, and York.

As I have intimated above, this extract may serve as a sample of the other four patents, viz. for St. Vincent, St. Dominica, Grenada, and the Grenadines; except that with regard to Grenada, &c. where the French had laid a poll-tax upon the inhabitants, that poll-tax (if I am not misinformed) is also continued upon them, by their respective patents, over and above the four and an half per cent before mentioned.

As this is plain matter of fact, let it speak for itself. I cannot say much in its defence. And all I have been able to meet with, as a plea in justification, is, that these were conquered islands, and by their capitulations agreed to be on the same footing as the Leeward Islands with regard to taxes, &c. and therefore have virtually consented to this tax, which some of the Leeward Islands pay. Consequently they have no right to complain that the ministry have taken them at their word.

It is not my business to enter into the propriety or universality of such a sort of consent, or how far the terror of some can in justice bind the property of all. I will only say that if the inhabitants should speak for themselves, we might probably hear some shrewd objections to it. But the grand defect of this plea in justification, is, that it appears to be entirely foreign to the point, for the question is not, what the inhabitants of those islands may, or may not, have reason to complain of; but the true and important questions in this case are; in what hands has the British constitution entrusted the power of levying money, ?—For what end is it there placed ?—And what power does it allow the executive of the government to exercise in our foreign colonies, so as to secure our own safety at home, and their prosperity abroad ?

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The power of levying money never was, nor ever can, in a free government, be with safety placed in the hands of the supreme executive, unless mankind, in general, had fewer passions and more wisdom than by experience appears to have fallen to their share. As the supreme executive has necessarily at his command the united force of the whole community, for the purposes of peace and order at home, and defence against foreign enemies; if the power of raising money also, was put into the same hands, I should be glad to know what can secure that community, under a bold minister, against the severe scourge of despotism. That favorite instrument for this purpose, a standing army, would be in his own power to keep, or not, as he might see occasion.

This mischief has been most wisely provided against by that mixed legislature, of which the happy constitution of Great Britain is composed. But, (if I may be allowed to repeat what has before been taken notice of) the continuance of this blessing depends upon preserving the due balance of the three estates; which cannot be done, without preserving entire and untouched the respective privileges of each.

The great, perhaps only, privilege the commons have to support their independence, is (as I observed) the power of raising money, when they find it necessary, or useful. If this should once be gone, all must go with it, and a dissolution of the government ensue. For this reason it is, that the house of commons have always guarded this privilege with so jealous and judicious a watchfulness as never to suffer the house of lords to add even an amendment to a money-bill. And we are encouraged by experience to trust with confidence in both houses of parliament, that they will never suffer such a power to invest in the crown, which would be equally dangerous to both, as it must in time render the crown entirely independent on both.

This is a case, which most properly falls under their cognizance, and therefore, Sir, we will, with all humility, leave it to their enquiry, wisdom and care. And there may it rest in peace, and security, that all will be done that may appear necessary, or expedient for the preservation of our excellent constitution.

I will conclude with mentioning some facts, which I suspect have been unattended to, or mistaken; and from that mistake, perhaps this blunder of the ministry has happened.

On the twelfth of September 1663, the assembly of the island of Barbadoes granted a duty of four and a half per cent. in specie on all dead commodities, of the growth or produce of the said island, exported from the same; and granted it for the support of the government in the island, and for building and repairing forts, &c. necessary for the defence of the island.

In the year 1664 the several islands of Nevis, Montserrat, and St. Christophers did the same.

And the assembly of the Island of Antigua on the 19th of May 1668, granted it also in that island. And these are the only islands which have ever yet been subject to it.

It

It is very clear that thus far there was no claim of a prerogative of the crown in the case. All was done by acts of their own assemblies, the representatives of the commons there.

The reader must have taken notice that these duties were granted in Charles the second's reign. And it is very remarkable that, though the island of Jamaica (which was a conquered island) stood out, and would not consent to this duty there, yet the ministry of those times had more wisdom than to claim a power to do it for them, by virtue of the prerogative royal. The fatal consequences of such a measure was not yet out of their memory. Therefore that island has been exempt from it to this day.

It must be acknowledged, that the ministry of a future reign, had a view of this kind, with respect to Jamaica, about the year 1717. But, whilst it was under consideration, the attorney-general (who was afterwards lord Lechmere) was consulted upon the case; and gave it as his opinion, that any person who should advise his majesty to such a measure, would be guilty of high treason. The consequence was, the ministry wisely dropt, what they had weakly designed. This opinion, it I am not misinformed, is now in being in Mr. Lechmere's hand-writing.

With regard to the capitulations of those which were conquered islands, all I have to say, is, the capitulations agreed to, could bind the respective contractors no longer than during the interregnum (if I may so call it) of the capitulation. When they were annexed to the British crown, they became intitled to the privileges of a British government.—But when Tobago was conquered, or by what general or admiral, or what the capitulation was, or in what gazette it was published, are now so intirely out of my memory, that I must leave those circumstances to be more particularly enquired into by my superiors.

#### HAMPDEN.

This letter was first published on Saturday the 2d February 1765. And on Monday the 11th of the same month, a motion was made by Mr. Dempster in the house of commons; upon which, the house agreed, *nemine contradicente*, to the following resolution:

“ Resolved,

That an humble address be presented to his majesty, that he will be graciously pleased to give directions that there be laid before this house, copies of all instructions under the great seal, authorising the levying a duty of four and an half per cent, or any other duty whatsoever, upon certain commodities in the islands and provinces ceded to Great Britain by the last peace, together with copies of all representations from the commissioners of the customs, memorials from the treasury, and orders of council relating thereto.”

Pursuant to this address the several copies were presented to the house on Monday the 18th, and Tuesday the 19th of the same month (the titles of which may be seen in the printed votes) and were ordered to lie upon the table to be perused by the members of the house.

Philo



Philo Britannia! answer me ingenuously. Is not this (what you called for) "Coming to fair argument"? — What is now your opinion of the eighth article of the livery of London's complaint? — If, as you desire, "Victory shall declare on the side of truth, justice, and Public Good," On which side do you believe she will declare? On the side of the ministry, or, on the side of the petitioners?

Notwithstanding what is here undeniably proved, it is very probable, the ministry's faithful echoes will continue repeating, "The petition of the Livery of London is ridiculous, and the complaint ill-founded." — If so, we must be content to let them take their own way, and say they know not what, and they know not why. Such barefaced falsehoods cannot impose upon any man, who is not willing to be deceived *Qui vult decipi decipitur*.

After returning my thanks to Philo Britannia for this favourable opportunity of reviving our attention to so interesting a fact, which, by this time, may possibly have slipped the memory of some of our worthy representatives in parliament, I must leave him to enjoy the triumph for his victory over his own sagacity.

#### HAMPDEN.

P. S. The legality of this imposition of four and an half per cent, was contested with the crown in the Island of St. Vincent, by Mr. Otley a planter; and the issue was tried there. The jury delivered in a special verdict, which was argued before the judges of the courts of law, who gave judgment in favour of Mr. Otley. An appeal from the courts of law, was then brought before the governor and council of the island. The governor and council, after a full hearing, confirmed the judgment of the courts of law. This last determination was about July 1768. Upon this, an appeal was brought before the king in council here. The case, as I am informed, now stands referred to council learned in the law for their opinion, and there it rests\*. During this necessary suspension of justice, the duties continue to be levied by authority of the letters patent. How long we are to proceed in this illegal method of levying money by pretence of prerogative, we hope will not be left to the discretion of a ministry, who seem so fond of the novelty. We rather hope, it will not be suffered to escape the serious attention of our worthy representatives in parliament, at their next meeting.

\* We hear that Mr. Otley is just arrived in England, in order to pursue this business, which will soon come to a hearing at the Cockpit.

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*To the Printer of the Political Register.*

S I R,

B Y inserting in your useful work, the following political maxims you will oblige an old correspondent, and perhaps render an essential service to your countrymen who seem to have imbibed

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very vague and indeterminate ideas on the subjects of government and public liberty, in this kingdom, the former they seem generally to define to be tyranny and oppression; and the latter unbounded licentiousness. Right notions therefore of each may serve to regulate our judgments and cool our passions.

Cambridge, September 7th, 1769.

QUIETAS.

*Political Maxims.*

**I**N all monarchical governments it is absolutely necessary, for the common good to preserve a right understanding between the King and the people.

It is therefore necessary that in all such governments, whatever mismanagements may happen, no blame or wrong be imputed to the King.

And it is as necessary to take care that no wrong be done to the people—for which reason when any wrong is done, the people ought to have a legal remedy for redress thereof.

The King and the people are like the head and the body, and must mutually depend on each other.—The people on the Prince for protection, equity, sound policy and clemency.—The prince on the people for affection, obedience and support: it is therefore the true interest of the King to govern in such a manner as is consistent with reason, and with the rights and privileges of the people.

And to that end, as well as to prevent mistakes, it is requisite that the prerogatives of the King, and the rights of the people be full ascertained and declared. After such declaration it is equally necessary for the common safety, that both be secured and confirmed by the most solemn compact between the prince and the people.

This once done, and interwoven into the frame and constitution of the government as it is in Great Britain, the smallest infringements of either, should be narrowly watched by the prince on the one hand, and by the people on the other—but when open violations tending to subvert this original compact on either side are manifest, it then becomes absolutely necessary for condign punishment to take place, in order to restore that peace and harmony between the prince and the people, which, a just distribution of power to each, agreeable to the original compact, can alone secure.

If the people are the aggressors, the King will easily find his remedy in his common courts of law, and it will hardly be possible for the people to bribe the King's judges or other officers of justice in their favour, or to avoid the heavy sentences which they will generally pronounce in favour of the King, by whom they are appointed.

But if the rights of the people are notoriously invaded, as by our first maxim we have agreed, that is necessary, no wrong should be imputed to the King—it is no less necessary that his servants whom he employs in the executive duties of his office, should be answerable to the people for every misdemeanour, as well

well as for high crimes and treasons. It is therefore an indispensable obligation on the part of the prince, both for the sake of those on whom he thinks proper to confer his best favours, by putting them in places of the highest trust and confidence; and out of regard to his people, whom he ought to wish better employed than in finding fault with his government, to take especial care whom he fixes on for his great officers of state, and if he unhappily makes a bad choice, it is necessary he should convince the people that he is not directly nor indirectly concerned in any oppressions or wrongs they may be guilty of, by discarding them on the first well-founded complaint against them, and by using every means which his superior station affords him to bring them to condign punishment, in justice not only to an injured people, but in mercy to himself. That the wholesome severity of the law being exercised on one set of offenders, no future combinations of ambitious, or debauched, or venal scoundrels, may presume to seize on the cabinet in virtue of family interest, p—y connections, or which is worse, female favouritism, and bind the King and his people in the ignoble fetters of despotism.

The constitution of Great Britain has happily lodged in the representatives of the people a power of impeaching and prosecuting corrupt ministers, but this power is not likely ever to be exerted, as in former times, if guilty ministers should happen to be secured by the prince, from a secret approbation of their measures. For the circumstances of Great Britain are changed, she is involved in a heavy debt, she has increased her territories, and with them, the dependants on the ministry, we will not say on the crown, because our kings have voluntarily parted with their best prerogative: the appointment of all inferior officers, under the great officers of state, from an idle apprehension that government cannot be carried on unless the King's head servants have the disposal of all employments in the state, whether ecclesiastical, civil or military: Thus the staff is given out of the King's hand, and let the ministers act as they please, they will always think themselves insured from punishment, as the representatives of the people with whom the power of impeachment is lodged, may be brought over, the majority if not the whole, to the interests of the ministry, by the application of well-timed douceurs.

Whenever this is the case, there are but two more remedies at hand for the redress of the complaints of the people warranted by the original compact between the prince and the people—and those are petitions, and remonstrances to the King. The first has been most in use, and stands in the rank of the most humble attempt that can be made to open the eyes of a deluded prince, and it is remarkable in history, that the people have seldom or ever mortified the prince so much as to carry their complaints against his ruling servants directly to the throne, till they had found means to render ineffectual the more regular method of impeachment, by such a lavish distribution of their favours among the representatives of the people, as made it ridiculous to think of

prosecuting them in a house of commons composed chiefly of their own creatures and dependants.

Petitions have generally been attended to, and they merit it, when preferred with decency, order and decorum, and when the object of them is truly national, and not calculated to promote sedition, tumults and insurrections.

When these have fatally been neglected, and the servants complained of have been countenanced and continued in office, before they were purged and acquitted at the bar of justice of the high crimes and misdemeanours they stood charged with in the petitions, it has been deemed by the best political writers, that the original compact between the prince and people, in a limited monarchy like Great Britain, was in fact dissolved; and the maxim established by that compact "that no wrong is to be imputed to the King," overturned; and indeed if we attend to what has followed from a rejection of petitions in the history of our country, we shall find the opinion of these writers supported. Remonstrances succeeded to unanswered petitions; and being no where described within the pale of the laws and customs of the country, they may be deemed extra-constitutional, and when the prince is obliged to remonstrate with his subjects as was the case with King John and other monarchs,—or when the people are obliged boldly to remonstrate to their Sovereign that they can no longer bear the ill usage of his protected servants,—the civil compact is dissolved, anarchy is at the door, and freedom at the expence of the prince, or slavery at that of the people must ensue.

*An Essay on the Public Funds.*

*To the Printer of the Political Register.*

S I R,

I AM what the world calls a monied man, being possessed of a very considerable capital in money, and in my own opinion, I know the value of it as well as any man living. After having fortunately escaped shipwreck in the freights of Change-Alley, I have at length happily landed my cargo, and reflecting on the danger I have avoided, a benevolent disposition prompts me to assist my neighbours in the perilous voyage to the gold coasts, or in other words, in the difficult task of procreating money from its own species.—You know the vulgar adage, money begets money. Now, Sir, the only safe way to compass this point, is to set a true value on the seed, the *stamina vite* before it is sown, and then to be careful not to scatter it on the highways, or on stony ground, but to place it in a fertile soil, where it may bring forth fruit in abundance. Formerly the lands of Great Britain were deemed the most valuable for this purpose; but at length the possessors of money became so numerous, that there was not soil enough in the three kingdoms, for the propagation of it. It was then thrown into the channel of commerce, and its increase promoted by a different operation. The exchange of other commodities for money, enhanced its value, and often doubled it in the Lands of the proprietor—mutual trust and confidence be-

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tween man and man, was general among individuals; and when any branch of a family had an overplus which they did not immediately want, they assisted their relations and friends for a reasonable consideration, which at the same time increased the store, and thus they laid the foundation for them to procure fortunes by their industry and assiduity in commercial pursuits.

But the case has been quite altered since the revolution, and is every day growing worse and worse; private confidence between individuals, with respect to the propagation of money, is almost totally destroyed, and that Hydra-headed monster public credit, swallows up all the unemployed money in the nation.

Not but that commerce still subsists, and is said to be in a more flourishing condition than ever, but take away from it the prop of public credit, which is in a decline, and she must fall to the ground.—Indeed the value of land is higher than ever, and the purchasing of estates is still deemed the safest and most regular method of increasing money in a slow degree. But the mischief is, that both commerce and lands are engrossed by monopolisers, who are possessed of large capitals; and that the increase of money arising from this employment of it, after providing for the exigencies and conveniences of life, is thrown into another channel, which destroys all private faith and credit between individuals, and necessarily limits and confines monied property to a few hands, occasions continual bankruptcies in trade, and must finally be the ruin of this renowned empire. You will readily conjecture that I mean the public funds.

These, Sir, were created in consequence of the revolution, and they have given birth to a false system of politics in this kingdom ever since; the revolution was undertaken to rescue us from arbitrary power, from popery and slavery; and the funding system which has since prevailed, will effectually secure us, so long as it stands, from any more revolutions,—even could we suppose, that the Pope was King of Great Britain, and the Devil his prime minister.—The administration of to-day are well apprised of this truth, and having besides, the happiness to serve a most pious and benevolent prince, they are thereby doubly secure, and laugh at all the efforts of your bill of rights gentry, and your Wilkes and liberty men.—If I were in G——n's place, to-morrow, and had W——'s proud insolent and wicked heart, I would bring the livery of London, and the freeholders of Middlesex, Surry, &c. in chains to my feet; and make them convert their petitions of grievances into addresses of thanks to the throne, for the mildness and wisdom of my administration, and that by the sole means of those d——d funds, or stocks. Proclaim it therefore aloud in our streets, and spare not, that the ancient spirit of liberty can never prevail in this land—while what is falsely stiled public credit, is the hinge of government;—while the funds subsist,——The people are at the mercy of———and his ministers; and though the former may be the best of men, yet his subjects may groan under the tyranny and oppression of the latter, and their grievances still remain

remain unredressed. Is this the land of patriots? Were I a prime minister for a few months, and possessed of the same enslaving principles as the present a——n, I would soon put it to the test: the prerogative of the c—— should be extended to its utmost line: the favourite should be openly caressed, and I would sacrifice the manes of English freedom to his pride and revenge; his countrymen should fill every employment both at home and abroad, and to effect this I would remove every trusty Englishman, from an ambassador, to a vice-consul, from a secretary of state, to a butler in the royal cellar: the very shadow of a jury should not remain, and the judges should all be devoted to my purpose.——I would have a p——t at my disposal. I would kill with one hand, and pardon with the other: I would send fire and sword into America, and in a word, do every thing repugnant to the freedom, and commercial interest of this country. What would be the consequence?——rebellion!——the very point I would aim at. This could only be conducted by a few hot-headed land-holders, no way interested in my darling funds, *my primum mobile*. It should be my care to permit it to gain ground, well knowing, I could crush it, whenever I thought proper. At the same time, I would take care to exact every article of revenue with rigid severity. The taxes should be levied and paid into the treasury, but not applied to the payment of the interest of the loans. What then would become of the funds?——One hundred and forty millions would be scarce worth sixty at market.——An army of foreigners would then be sent over, gratis, to my assistance, in support of government, by the proprietors of our funds, the subjects of foreign powers. Associations at home, would be formed for the maintenance of public credit: for if three per cents fell sixty per cent under par, which they would infallibly do in a civil war, bank, and all other paper currency must stagnate, or be at an amazing discount. And not to enumerate instances, I know a Jack-smith, at this hour, a freeholder of Middlesex, who has the Middlesex petition in a frame and glass, and who has triumphantly paraded it in a landau and pair to Brentford, in support of liberty,——who would be the first to kiss the toe of Bute, if he thought his three hundred pounds, three per cent. annuities, in value now about 270 l. was in danger of falling twenty per cent. The strength of this chain would therefore bear me out, victory would decide in my favour, and after having cut off the heads of a few capital insurgents, and strung up some scores of the meaner sort, I should be able to say to my S——, “That I was determined to keep my post, and not to resign, either through threats or intreaties, unless requested to resign by his M——himself.”

But if, Sir, you can imagine, that the majority of this land are so truly patriotic in the cause of freedom, that they would sacrifice their property in the funds, or that a majority of public spirited men can be found, who are independent of the funds, and are able and willing to sacrifice their lives and fortunes in defence

defence of freedom, and to oppose m——l tyranny. In that case, I own, that opposition would be formidable, and that I would not be prime minister with the principles I have laid down, no, not for the wealth of Cræsus.

Much, however, it is to be feared, that this degree of patriotism is not to be found at present; but the friends of freedom may steer another course; they may use their best endeavours, under bad administrations, to diminish the number of stockholders, by representing to the lovers of liberty, the great danger of being held in ministerial fetters, if they vest their property in such a precarious bottom as the *public funds*; and by making no other stir or bustle, they may reduce a ——— n to the last extremity. For a considerable fall of the funds, without any insurrection or tumult on the part of opposition, in the time of profound peace, will always be deemed the effect of a bad a——n, and a change must speedily ensue. This conduct, or a total annihilation of the funds, which is recommended in the writings of the celebrated D——H——, Esq. seems to be the most effectual remedy for our grievances.

If this, however, cannot be accomplished, let the generous sons of freedom be careful at least, not to countenance any measures that may tend to inhanse the value of the funds, and by raising them to an exorbitant height, strengthen the hands of administration, and administer such a flattering proof in favour of their conduct, as an advance of twenty per cent. on all the funds.——A scheme of this kind I am informed is in agitation, for it is intended to reduce the legal interest of money to four per cent. instead of five. Now, Sir, under a good administration, this might be thought a very beneficial proposal, but in our present situation, no man, I hope, will wish to see it carried into execution, as it must tend to encrease the number of the dependants on ministerial favour, who no doubt will be made acquainted with the time when this event is to take place, that they may be prepared to purchase into the funds, before the rise which must follow upon it.

I have already observed, that a very considerable reduction of the price of the funds, owing to any insurrection or civil broils, would alarm the stockholders in general, and make them stick fast to any administration, as a means of securing their property, which would be reduced to half its value, if any public calamity was to befall this nation, because strangers, and all other independent people, who could take refuge in any other country, would naturally sell out, and remove their persons and effects.

On the other hand, the raising the value of the funds, beyond the just proportion of the value of money, is an artful plan to support an expiring administration, by a sudden augmentation of the capitals of the numerous proprietors of those funds; and cannot answer any one good purpose to the community, because the measure will not be of any long duration. The legal interest of money is at present five per cent. that is to say, on security the least precarious or hazardous, no man will advance

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it for less; but on undeniable security such as lands, determinate, or life annuities, it may be obtained for four per cent. I therefore deem four per cent. to be the true standard value of money. Now, if an act of parliament should pass to reduce lawful interest (which is the interest taken on precarious securities, such as bonds, promissory notes, on the deposit of commodities either perishable in their nature, or liable to great alterations in their intrinsic value) to four per cent. the consequence will be, that the value of money on real securities, will fall to three per cent. and then the three per cent. funds will immediately rise above par; and afford a profit to the proprietors of ten or twelve per cent.

This will engage people to buy into the several funds, and create premiums on each, exceeding the proportion of the interest they bear, but if a war should happen, the evil of such a reduction of legal interest, with the sole view of benefiting the present proprietors of the stocks, and of engaging them on the side of administration, will evidently appear. For the fall of the stocks will be in proportion to the demand for money, and the terms which government must offer for money on new loans, must be very advantageous, as all the modes of taxation, that are not too oppressive to be borne, seem to be exhausted; and it will be difficult to find fresh securities for the payment of the interest of new loans, in any future war, the want of these having been urged, as the strongest reason for concluding the last. I therefore think it is but equitable, in order to avoid the pernicious consequences of gaming in the Alley; that we should constantly carry in view, the standard value of money, on the most indisputable security, and never suffer the stocks to rise above the par of money. Indeed they ought not to be so high, considering the chance of their falling, on any disastrous public event. All beyond this, is downright gaming, and while Change-Alley exists, on its present footing, there is no occasion to prohibit playing at hazard, or any other unlawful game, so deemed by the laws of the land; for the ruin of thousands, by the most pernicious games of chance, is the open public business of that house.

To prevent, however, as far as I am able, all deceptions in placing out money in the funds; all fallacious hopes, as well as groundless fears, I have taken the pains to make out an exact estimate of the present value of the several funds, reckoning money to be worth four per cent. which it undoubtedly is, for I can have four per cent for discounting the best foreign bills of exchange, and the same interest for the loan of my money on good mortgages; and I am very certain, considering the present situation of our politics, and the restless disposition of our natural enemies, it will not be worth less for any considerable time, in the course of twenty years. After comparing the real value of the funds, with the current market price, you are at liberty to make what use you think proper of my estimation, but if you take my advice, you will insert it in your useful register



as a caution to the public to prevent the imposition of giving too high a price for any of the funds.

I entitle my calculation—*An equation table of the intrinsic value of the stocks, in proportion to the value of money.*

Present value of money four per cent.

Proportionate value of three per cent annuities is					75
3 $\frac{1}{2}$ ditto	—	—	—	—	87 $\frac{1}{2}$
4 ditto	—	—	—	—	100
4 $\frac{1}{2}$ ditto	—	—	—	—	112 $\frac{1}{2}$
5 ditto	—	—	—	—	125
5 $\frac{1}{2}$ ditto	—	—	—	—	137 $\frac{1}{2}$
10 ditto	—	—	—	—	250.

This table I advise my countrymen to carry constantly in their pockets, always remembering not to fool-away their money, but to consider, that it is their best friend, and will prove their ablest minister in time of danger.

I find this very day in the public papers, that the market price of three per cent. consol. annuities is 89, which is no less than fourteen per cent above the real value; what can induce men of property to be such dupes, when it is so evident that this fund is exorbitantly raised above even the others! for the current price of four per cent. consol. is but 101  $\frac{1}{2}$  which is but one and an half, above the real value. This infatuation of the public must give spirits to the worst of a——ns. For while a share of property in the national debt, which creates a dependence on government, is preferred to mortgages or purchases of land, to commercial connections, and to private securities, the m——y cannot but see that they have a considerable body of the people in their power, who rather than have their property reduced; by any considerable fall of the funds, will constantly exclaim against, opposition, and support feeble or even venal, corrupt, a——ns against the opinions of the free and independent.

The little addition to the market price to allow for any interest that may be due at the time of purchasing into the funds is easily computed, and this done, I hope my table will be found exact and useful.

September 6th, 1769.

PECUNIOSUS.

To the Editor of the Political Register.

S I R,

SINCE my last\*, I have been very attentive to all the transactions at the several meetings of the proprietors of East India stock, and I have had the pleasure to find my sentiments confirmed, respecting the proposed power, required by the ministry to be vested in the naval officer commanding the ships of the

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\* See our Register for the last month. page 124

line to be sent out in aid of the company. Notwithstanding all the pains taken by the ministerial writers; and the laboured speeches of the friends of administration at the general courts, this important point which preserves the independence of this great trading company has been determined against the views of administration, by a very considerable majority.

I sincerely congratulate my countrymen on this fresh victory over the friends of despotism, who wish to extend the ministerial influence of the crown to every, the most distant, part of the British empire. The carrying this point is a proof of the growing strength of an opposition founded on the principles of public virtue, and plainly shews, that though the spirit of liberty may be subdued in one part of the kingdom, it will rise again in another. Though it be smothered at a meeting in one county, the holy flame will burst forth in another; and afford us the pleasing, the reanimating consolation that the boasted ministerial power of the crown, so often sounded in our ears, by the toad-eater Vindex, is not sufficient to extinguish it.

From a rejection of lord Weymouth's requisition, some of the most sensible proprietors, proceeded a step farther, and called in question the legality of the commission appointing the three supervisors, and also the expediency of the measure itself, provided the legality of the commission was fully established. The reason I did not enter into the merits of these points in my former letter was, that I took it for granted from the proceedings at the general courts held in August, that the commission after the amendments made to it by the great lawyers to whom it was referred would infallibly take place; if not unanimously, yet by a considerable majority, as it constantly appeared to be the general sense of the proprietors, that such a commission should be sent out. But I own that having heard the judicious remarks of Mr. Orme and Mr. Dempster, and read the protest delivered in at the general court on the 6th instant, I cannot but be of opinion that the commission with all its alterations and amendments, as it is now made out, will be productive of many inconveniencies to the company, if not of the most fatal consequences to their affairs in India.

And as there is a rumour current that an order from a superior power has stopped the departure of the supervisors, you will do the public justice by recording the most material objections that have been offered against sending them, and will afford your readers a proper reference to this debate which may at a future period prove both interesting and entertaining, when the accounts of the effects of this commission (if it does go out) shall arrive from India.

The subscribers of the protest, after remarking that they deem the commission inexpedient, illegal and detrimental to the true interest of the East India company; and that no majority of numbers can sanctify an illegality, much less a majority of sixteen—declare, that they think it incumbent on them, in defence of the rights, privileges, immunities, and possessions of

of the company, all which they conceive to be in the utmost danger from this commission, to protest against it. And amongst others, they assign the following most weighty reasons:

Because the ordinary powers, now vested in the governors and councils of the different presidencies in Asia, being established by the charter at large, by the charter of justice, and confirmed by acts of parliament, these powers cannot be superseded by any acts of the company, without the sanction of parliament first obtained, by the repeal or amendment of the statutes now in force.

Because they conceive this commission to have been originally framed in direct opposition to the said charter of justice, as well as to an act of parliament of the 27th of George the second. And the amendments since made, have only served to render it still more exceptionable, the powers granted by these amendments of extinguishing, and again reviving the ordinary form of government, *ad libitum*, or as often as the defectiveness of the commission shall render it necessary, being a burlesque on civil policy, and an insult on common sense: for the commissioners hereby receive a right of superseding the governor and council, whom they are afterwards obliged to reinstate, for the express reason, that powers superior to their own are vested in the said governor and council by the legislature. A solecism of the utmost absurdity in law, as supposing that a greater power can be involved in, or derived from a lesser.

Because, were it even legal, this wanton power of extinguishing and reviving the governor and council is contrary to the true spirit of justice and policy, and tends in the end to expose such form of government to mockery and contempt.

Because the governors and councils abroad will never submit to have their authority, which is confirmed by acts of parliament, superseded by commissioners in whom there is confessedly vested less legal power than in themselves; a circumstance which cannot fail of involving the company's affairs in confusion and distress.

Because every purpose intended by this commission may be better effected legally, by the ordinary form of government, provided proper men are appointed to the supreme offices abroad.

Because the commissioners would not be amenable to public justice in England, for any misdemeanors or mal-administration in India, by any acts of parliament now in force: that clause of the act of the 27th of the late King, which was inserted for the sole purpose of punishing the oppressions, crimes, and offences of the superior servants of the company (who cannot be tried in India, and who before this act, could not be brought to public justice in Great Britain) extending only to the presidencies, who were then conceived by the legislature to be the highest powers which could govern in India.

Because, by the intended commission, no military justice can be regularly executed, or indeed executed at all, in India; since it is clear, by the mutiny-act, that no court-martial can be held except by warrant from the president and council. Now the president and council can receive no orders for that purpose from the

commissioners, because at any period when an order can be issued by the commissioners, the president and council are annihilated; and when the president and council are revived, then the commissioners can issue no order of any kind. Besides, during such force no military trial (which, could courts-martial sit, might be presumed to happen weekly) no business can be done by the commissioners, for the moment they begin to act, the power of the governor, and council, and consequently of the court martial is dissolved.

In addition to these arguments, Mr. Orme, with great propriety, introduced his remarks, which I have sent you nearly in his own words.

“ Heyder Ally, who is the most formidable enemy we have in India, previously hearing of our intentions of sending out persons to give vigour to our affairs there, necessarily connects this idea, that these gentlemen are three of the greatest captains that ever went out of England; as such, he has his fears, and apprehensions. But when he finds that these gentlemen go out merely in a civil capacity; when he finds that their power is of such a nature, as must ultimately turn on itself, and produce confusion and inconsistency, how will his fears vanish? how will his natural ambition take fire? he will then either render himself more formidable from our weakness, or extort from us a peace that will neither redound to the honour or interest of this company. But suppose a peace is already made, how are the civil politics of this country to be managed? it is well known two of those very gentlemen that go out, do not perfectly agree in their sentiments of the business they are engaged in. nay, I may go farther, by saying, this dissension has extended to personalities; and I am sure I need not to point out to this court, how apt these are to be rekindled upon any division of public sentiment.

“ I come now to follow these gentlemen to Bengal, our seat of empire in Asia. The council already established there, for the most part, consist of gentlemen of capacity and honesty; two in particular I will affirm to be so, Mr. Dupre, and Mr. ———: is it to be supposed then, that these gentlemen, (allowing them to be possessed but of common spirit) will longer continue in an office where they are one day liable to be superseded, and another day restored? would common prudence, and a regard for his character, induce any gentleman to account for measures that may not be adopted by himself? what then will be the issue? why, these gentlemen will resign; and how their places can be filled up, I do not know; but as a proprietor, I tremble for the consequences.”

The immense expence attending this commission had been noticed upon a former occasion, but was again brought upon the carpet with more weight, when so many objections were started to its legality and expediency. Upon the whole, though it was carried by a small majority, there was all the reason in the world to believe that the proprietors were at length generally convinced that the supervisorship would be attended with greater inconveniencies to the company's affairs, than those it was intended to remove.

remove, and if it be considered that the interest and influence the three gentlemen appointed who had so valuable a commission at stake must have been strained to the utmost at the last general court; this majority may be fairly deemed rather an interested, than a sentimental majority. And accordingly, I doubt not but the representations of the very sensible proprietors who wanted to set aside the commission, combined with the refusal of lord Weymouth's requisition, will engage the government to enter into a further consideration of the legality of the commission, and that in the end no such measure will be carried into execution. And when this affair is settled, we shall see what kind of armament our able ministry will think proper to send to Asia on the nation's account, to watch the motions of the French at Mauritius, for if we are not beforehand with them, be assured they will repay themselves in India for the loss of Canada.

Windsor, September 7th, 1769.

CLITUS.

## For the POLITICAL REGISTER.

### INTELLIGENCE EXTRAORDINARY.

THE Editor of this work, who will always think it his duty to communicate to the public the earliest intelligence of all political events that happen in any part of Europe, which may either immediately or ultimately respect the honour, prosperity and security of Great Britain, cannot pass over in silence a remarkable circumstance mentioned in a letter he has received from one of his correspondents abroad, a gentleman of unquestionable veracity, and whose situation in life affords him an opportunity of knowing what passes in almost all the sea-port towns of Europe. He writes, "that the Spanish government usually keep their marine force distributed in the several ports of the kingdom, and particularly, that they are seldom or never without men of war stationed at *Carthagena* and *Cadix*; but, says he, for what reason I know not, they have been for some time withdrawing their ships, as it were by stealth, from every port in Spain, and have collected their whole force at *Ferrol*, so that they are capable of sending to sea a very formidable fleet at a short notice. Various are the conjectures and reports on this head, as it is an unusual manœuvre, and looks very much like a preparation for war. Some think they are meditating a sudden rupture with England; and that supported by France, they intend to repay the compliment you paid the latter some years since, by taking your merchant-ships, and sending a fleet on your coasts, previous to any formal declaration of war. However, be this as it may, I hope, your governors are not so totally engaged in party disputes, as to neglect taking the necessary precautions to prevent a surprise. So respectable a maritime power as Great Britain, should always have a fleet of twenty or thirty ship of the line, equipped, and ready to put to sea, on any sudden emergency."

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The observation of our correspondent is so just, that we cannot but wish the nation may concur with him, and that our attention may be more strongly fixed at this crisis on what passes abroad, than it has been for some time past. It is now the proper season for manning a fleet, from the merchant-men that are returning home from different parts of the globe; and if it is neglected, it may take many months to collect a sufficient number of able bodied seamen to equip a fleet. The expence of keeping a fleet of observation in readiness, will undoubtedly embarrass those who have the management of the revenue; but we all know that money has been found for services of much less consequence; and therefore whether it is obtained by making those refund, who are said to have embezzled the public money: by a diminution of pensions; or by any other savings, it matters not; but surely we should never be without our best bulwark and ablest negotiator, A FORMIDABLE FLEET.

The following extract of a letter from Dover dated Sept. 21st likewise deserves the most serious notice; "Yesterday I arrived here: on my way I fell into company with a person, whom I afterwards found from what passed between us, is an officer belonging to a regiment of Irish brigades, now lying a few leagues from Calais, his name O'Farrel; that he had been raising recruits for that regiment some time in and about London, four of which were then with him ready to embark; but thinking it my duty, if possible, to prevent it, I this morning had them before a justice of the peace to be examined, which he refused to do, saying that he had no orders to stop any body; on which they were discharged, and sent off to sea immediately. I then applied to and acquainted the officer at the castle with what had passed, who directly sent boats after them which brought back one of the recruits. I shall make further enquiry into this matter, and be in town in a few days; but in the mean time think it proper that the public be advised thereof."

We are sorry that any magistrate should be so negligent, or so ignorant of his duty, as to refuse the required examination; it is idle to the last degree to say he had no orders to stop any body, the general knowledge which every person in the commission of the peace ought to have of the laws of his country, should have been his guide upon this occasion, and there cannot be a stronger instance of the necessity of choosing men not only of integrity but of real ability to act in the important office of justice of the peace. It is to be hoped this magistrate, whoever he is, will be informed by his superiors, that it was his duty to have stopped the recruits on the first information, to have lodged them in some place of security, and to have sent an immediate pursuit after Mr. O'Farrel, whom he should have considered as a common felon.—It is a strange thing, that notwithstanding the many hints that have been given of the pernicious practice of enlisting our countrymen into foreign service, and especially into the regiments of the Irish brigades in the service of the French; the officers of these regiments

ments should be continually passing over to England, and should wear their uniforms openly, as they have lately done, having been met so dress in St. James's park and other public places, and yet that no care should be taken to watch their motions, and enquire into the business that brought them over. The seduction of our fellow subjects for this service is the more to be lamented, as these regiments are the best belonging to France, are always put upon the most dangerous service in engagements, and have generally distinguished themselves for their bravery. What a pity! that the best strength of our natural enemy should be drawn from home, and debauched from their religion, their allegiance, and their affection for their native country. This is no new grievance, let an English traveller through France or Flanders, take a common soldier of one of these regiments aside, and for a trifling gratification, he will hear the disagreeable history of his being enlisted by French officers or their agents in London, at Dublin, and in all other places of England and Ireland.

In time of peace one or other of the regiments of Irish brigades are generally stationed at Dunkirk, Graveline, Calais, or at no great distance up the country as far as Lille, that the officers may have the better opportunity of making short absences for the purpose of recruiting in England, and to order fire-locks and other accoutrements in London for the service of the regiments. The firelocks in general use among the military in France are badly wrought, they are subject to rust sooner than our's, and consequently to miss fire. Towards the close of the year 1767, several chests of arms were landed at Dunkirk from London which were publicly opened, and contained muskets for different regiments, but particularly for the Irish brigades which were then in garrison there, all exactly marked, numbered and assorted for each regiment, and in March 1768, twenty chests were landed at the same place, and the master of the vessel being asked, if he knew their destination when he sailed from London, said, he apprehended they were for the West-Indies, for which he was bound after landing some other goods at Dunkirk.—So that in a future war we must expect to see our own countrymen, and our own arms turned upon us. In other countries, officers in foreign service are particularly watched by order of the ministry; but here, even without the precaution of throwing off their regimentals, they can transact all their business so effectually and securely, that they cannot help laughing at our inattention, and boasting of their success before they are out of the kingdom. Of this however, we hope, Mr. O'Farrel will be the last instance; and had the magistrate done his duty at Dover, he might have repented of his audacity.

M.

## A C A R D.

*To the Earl of B——.*

My Lord,

**Y**OU have declared in the House of Lords, that you wished it might be engraved on your tomb, *Here lies the man who made the peace.* We advise you to use no more subtrefuges, but confess at once, how much you and your wanton paramour, made of that peace in good French gold.—A frank confession in time, may save your head at least.—You know there is proof—but you hope, that the long impunity of the lord who sold Minorca, may be a precedent in your case, especially as even murderers now escape.—You are mistaken: an injured nation will at last have justice, and though you both get twenty sign manuals of a misguided ———, and even sculk behind his throne, you shall be dragged from thence by

MILLIONS.

## A N E C D O T E.

**T**H E R E is a gentleman well known in France for having built, at his own expence, a magnificent pavillion, for the accommodation of the king when he goes a hunting; for which singular piece of service he emphatically styles himself the king's friend. When the D— of B—— was negotiating the peace of Paris, and the French ministers waited on him at the hotel to get him to sign the articles, his grace was pleased to observe to them, that he was even more the king's friend (that is the French king's friend) than Monsr. ———, the pavillion-builder himself. For continues his grace, he only did his majesty a favour at the expence of ten thousand pounds, whereas I am going to oblige him at the risk of my head.

F A C T.

## A N A D D R E S S

*To the Gentlemen, Clergy, and Freeholders of the County of Devon, preparatory to the General Meeting at Exeter on Thursday the 5th of October, 1769.*

B Y D R. M U S G R A V E,

PHYSICIAN AT PLYMOUTH.

Gentlemen,

**T**H E sheriff having summoned a meeting of the county to consider of a petition for redress of grievances, I think it incumbent upon me as a lover of my country in general to lay before you a transaction, which, I apprehend, gives juster grounds of complaint and apprehension than any thing hitherto made public. Having long had reason to imagine, that the nation has been cruelly and fatally injured in a way which they little suspect, I have ardently wished for the day, when my imperfect informations should



should be superseded by evidence and certainty. That day, I flatter myself, is at last approaching, and that the spirit which now appears among the freeholders will bear down every obstacle that may be thrown in the way of open and impartial enquiry.

I need not remind you, gentlemen, of the universal indignation and abhorrence, with which the conditions of the late peace were received by the independent part of the nation. Yet such is the candid, unsuspecting nature of Englishmen, that even those who condemned the measure did not attribute it to any worse motive than an unmanly impatience under the burdens of the war, and a blind headlong desire to be relieved from them. They did not conceive that persons of high rank and unbounded wealth could be seduced by gold to betray the interests of their country, and surrender advantages, which the lives of so many heroes had been willingly sacrificed to purchase. Such a supposition, unhappily for us, is at present far from incredible. The important secret was disclosed to me in the year 1764 during my residence at Paris. I will not trouble you with a detail of the intermediate steps I took in the affair, which however in proper time I shall most fully and readily discover. It is sufficient to say that on the 10th of May 1765, by the direction of Dr. Blackstone I waited on lord Halifax, then secretary of state, and delivered to him an exact narrative of the intelligence I had received at Paris, with copies of four letters to and from lord Hertford. The behaviour of lord Halifax was polite but evasive. When I pressed him in a second interview to enquire into the truth of the charge, he objected to all public steps that might give an alarm, and asked me whether I could point out to him any way of prosecuting the enquiry in secret, and whether in so doing there was any probability of his obtaining positive proof of the fact. I was not so much the dupe of his artifice, as to believe that he had any serious intention of following the clue I had given him, though his discourse plainly pointed that way. It appeared by the sequel that I had judged right. For having four days after given a direct and satisfactory answer to both his questions, he then put an end to my solicitations by a peremptory refusal to take any steps whatever in the affair.

It is here necessary to explain what I mean by enquiring into the truth of the charge. In the summer of the year 1764 an overture had been made to Sir George Yonge, Mr. Fitzherbert, and several other members of parliament, in the name of the Chevalier D'Eon, importing that he, the Chevalier, was ready to impeach three persons, two of whom were peers and members of the privy council, of selling the peace to the French. Of this proposal I was informed at different times, by the two gentlemen above-mentioned. Sir George Yonge in particular told me, that he understood the charge could be supported by written as well as living evidence. The step that I urged lord Halifax to take was, to send for the Chevalier D'Eon, to examine him upon the subject of this overture, to peruse his papers, and then to proceed according to the proofs. In such a case, a more decisive evi-

dence than the Chevalier D'Eon could not be wished for. He had himself conducted the negociation on the part of the enemy, and was known to have in his possession the dispatches and papers of the duke de Nivernois. This gentleman so qualified, and so disposed to give light into the affair, did lord Halifax refuse to examine; whether from an apprehension that the charge would not be made out, or, on the contrary that it would, I leave you, gentlemen, and every impartial reader to judge.

It must not be understood, that I can myself support a charge of corruption against the noble lords named in my information. My complaint is of a different nature and against a different person. I consider the refusal of lord Halifax as a wilful obstruction of national justice, for which I wish to see him undergo a suitable punishment. Permit me to observe, gentlemen, that such an obstruction not only gives a temporary impunity to offenders, but tends also to make that impunity perpetual, by destroying or weakening the proofs of their guilt. Evidence of all kinds is a very perishable thing. Living witnesses are exposed to the chance of mortality, and written evidence to the not uncommon casualty of fire. In the present case something more than these ordinary accidents, might with good reason be apprehended. It stands upon record that the Count de Guerchy had conspired to assassinate the Chevalier D'Eon, neither had this charge hitherto been refuted or answered. This not succeeding, a band of ruffians was hired to kidnap that gentleman, and carry off his papers. Though this second attempt failed, it does not follow that these important papers are still secure. I was informed by Mr. Fitzherbert, so long ago as the 17th of May, 1765, that he had then intelligence of overtures making to the Chevalier D'Eon, the object of which was to get the papers out of his hands in return for a stipulated sum of money. This account I communicated the following day to lord Halifax, who still persisted in exposing these precious documents to so many complicated hazards. I say precious documents, because if they should be unfortunately lost, the affair must be for ever involved in uncertainty; an uncertainty, gentlemen, which may be productive of infinite mischiefs to the nation, and cannot tend to the advantage or satisfaction of any but the guilty.

Lord Halifax, in his excuse for his refusal, will probably alledge, as he did to me, his persuasion that the charge was wholly groundless. I need not observe, how misplaced and frivolous such an allegation is, when applied to justify a magistrate for not examining evidence. But I will suppose for argument sake the persons accused to be perfectly innocent. Is it not the interest and the wish of every innocent man to have his conduct scrutinized while facts are recent, and truth of consequence easy to be distinguished from falsehood? Is there any tenderness in suffering a stain to remain upon their characters till it becomes difficult, or even impossible, to be wiped out? Will, therefore, these noble persons, if their actions have been upright, will they, I say, thank lord  
Halifax

Halifax for depriving them of an early opportunity of establishing their innocence? Will they not regret and execrate his caution, if the subsequent suppression or destruction of the evidence should concur with other circumstances to fix on them the suspicion of guilt? How will lord Halifax excuse himself to his sovereign for suffering so atrocious a calumny to spread and take root, to the evident hazard of his royal reputation? And what amends will be made to the nation, for the heart-burnings and jealousies which are the natural fruit of such a procedure? Yet these, gentlemen, are the least of the mischiefs that may be apprehended from his behaviour, upon the footing of his own plea.

I will venture, however, to assert, that, as far as hitherto appears, the weight of evidence and probability is on the contrary side. Now supposing the charge to be true, there can be no need of long arguments to convince you of the injury done to the nation by suffering such capital offenders to escape. For what is this but to defraud us of the only compensation we can expect for the loss of so many important territories, a loss rendered still more grievous by the indignity of paying a pension, as we notoriously do, to the foreign minister who negotiated the ruinous bargain? Yet even these considerations are infinitely outweighed by the danger to which the whole nation must be exposed from the continued operation of so much authority, influence, and favour to their prejudice, and above all from the possibility that the supreme government of the kingdom may, by the regency act, devolve to a person directly and positively accused of high-treason. Even the encouragement that such an impunity must give to future treasons, is enough to fill a thinking mind with the most painful apprehensions. We live in an age not greatly addicted to scruples, when the open avowal of domestic venality seems to lead men by an easy gradation to connections equally mercenary with foreigners and enemies. How then can we expect ill-disposed persons to resist a temptation of this sort, when they find that treason may be detected, and proofs of it offered to a magistrate without producing either punishment or enquiry? The consequence of this may be our living to see a French party, as well as a court party, in parliament; which, should it ever happen, no imagination can sufficiently paint the calamitous and horrid state to which our late glorious triumphs might finally be reduced. When I talk of a French party in parliament, I do not speak a mere visionary language unsupported by experience. The history of all ages informs us, that France, where other weapons have failed, has constantly had recourse to the less alarming weapons of intrigue and corruption. And how effectual these have sometimes been, we have a recent and tragical example in the total enslaving of Corsica.

I have been thus particular in enumerating the evils that may result from the refusal of lord Halifax, not from a desire of aggravating that nobleman's offence, but merely to evince the necessity of a speedy enquiry, while there is yet a chance of its not being

being wholly fruitless. Though the course of my narrative has unavoidably led me to accuse his lordship, accusation is not my object, but enquiry, which cannot be disagreeable to any but those to whom truth itself is so. In pursuing this point I have hitherto been frustrated from the very circumstance which ought to have insured my success, the immense importance of the question. It has been apprehended, how justly I know not, that any magistrate who should commence an enquiry, or any gentleman who should openly move for it, would be deemed responsible for the truth of the charge, and subjected to severe penalties, if he could not make it good. This imagination however did not deter me, though single and unprotected, from carrying my papers to the speaker, to be laid before the late house of commons. The speaker was pleased to justify my conduct, by allowing that the affair ought to be enquired into, but refused at the same time to be instrumental in promoting the enquiry himself. What then remained to be done? What, but to wait, though with reluctance and impatience, till a proper opportunity should offer for appealing to the public at large, that is, till the accumulated errors of government should awaken a spirit of enquiry too powerful to be resisted or eluded? That this spirit is now reviving, we have a sufficient earnest in the unanimous zeal you have shewn for the appointment of a county meeting. In such a conjuncture to withhold from you so important a truth would no longer be prudence, it would be to disgrace my former conduct, it would shew that I had been actuated by some temporary motives, and not by a steady and uniform regard to the national good. Indeed the declared purpose of your meeting is in itself a call upon every freeholder to disclose whatever you are concerned to know. I obey this call without hesitation, submitting the prosecution of the affair to your judgment, in full confidence that the result of your deliberations would do honour at the same time to your prudence, candour, and patriotism.

*Plymouth, Aug. 12, 1769.*

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*A Translation of the Chevalier D'Eon's Answer to Dr. Musgrave's Letter, dated at Plymouth, Aug. 12.*

S I R,  
**Y**OU will permit me to believe that you never knew any more of me, than I have the honour of knowing of you; and if in your letter of the 12th of August you had not made a wrong use of my name, I should not now find myself obliged to enter into a correspondence with you.

You pretend that "in the summer of the year 1764, overtures were made in my name to several members of parliament, importing that I was ready to impeach three persons, two of whom were peers and members of the privy council, of having sold the peace to the French:" and you seem to found thereupon the evidence of a charge, which you say you carried yourself to lord Halifax.

I declare, therefore, here, Sir, that I never made, nor caused to be made any such overture, either in the winter or summer of the year 1764, nor at any other time : I am, on one side, too faithful to the office I filled, and on the other, too zealous a friend to truth.

I confess you do not say it was I that made these overtures ; but only that they were made in my name, particularly to Sir George Yonge and Mr. Fitzherbert.

I assure you I do not know either of these gentlemen, and never authorised any person whatever to make in my name such overtures, which the abhorrence alone I have for calumny, would make me detest.

I call upon you, therefore, Sir, to lay before the public the name of the audacious person who has made use of mine to cover his own odious offers. The gentlemen whom you have given as your witnesses, cannot deny you this justification of their own veracity and yours.

Though I cannot but commend your integrity in citing your authors, yet it appears to me an act of the last imprudence, in an affair of so much weight, to build upon report for naming publicly a person of my character, without having previously consulted him. If you had recollected the contradiction I gave in the St. James's Chronicle, of October 25, 1766, No. 881, to an advertisement in the same paper, No. 875, importing in substance what you alledge in your last letter, you had saved me the trouble of replying to you at this time. What must be the result ? The public will have read greedily your letter ; will have believed its contents, because you appeal therein to my testimony : but what will they think now when your own interest, my honour and truth oblige me to deny all that you have advanced thereon with respect to me ?

It is the same with your pretence that " about the 17th of May, 1765, Mr. Fitzherbert told you, he knew that overtures had been made to me to sell for a sum of money the papers that were in my hands."

I have always flattered myself with being possessed of the esteem and friendship of the English with whom I have lived. Who of them then in these sentiments would have presumed to have shewn sufficient contempt for me to have made me such an overture ? The injury would have been the more sensibly felt by me, as the character of the person was more respectable.

I shall not follow you, Sir, either in all the steps you have thought it your duty to take, or in the arguments you make use of to support them : these shew the orator, and those, if they be well founded, prove the patriot.

But I here certify to you, on my word of honour, and in the face of the public, that I cannot be of any sort of use to you ; that I never entered into any treaty for the sale of my papers, and never either by myself, or any agent authorised on my part, offered to make appear, that the peace had been sold to France.

If

If lord Halifax, or the speaker, to whom you say you addressed yourself, in order to call upon me as evidence with respect to the validity of your charge, had caused me to be cited, he might have known by my answers what my thoughts were, that England rather gave money to France than France to England, to conclude the last peace; and that the happiness I had in concurring to the great work of peace has inspired me with sentiments of the justest veneration for the English commissioners who had been employed in it, and with the most lively esteem and sincerest admiration for the late count de Viry, who in his attachment to the welfare of the two nations then at war, and thanks to his indefatigable zeal! had the glory of bringing that peace to a happy conclusion.

Judge now, Sir, with what solidity you can depend upon me to make your charge clear.

I am too well known in England to have been under any necessity of this reply, if the frankness of your letter had not appeared to me to merit my preventing you from taking any further steps, which could not but turn to your prejudice, in as much as they would be founded solely on false reports of my proceedings.

In order to enable you to be as prudent as patriotic, I sign this letter, and therein give you my address, that, for the maintenance of your own veracity, you may furnish me with the means of convicting publickly those slanderers who have dared to make use of my name, in a manner still more repugnant to real facts, than the dignity with which I have ever supported my character.

I have the honour of being

Your most humble servant,

*In Petty France, Westminster.*

*The Chevalier D'EON.*

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*A Letter to the Printer, on the Importance of Dr. Musgrave's Address to the Freeholders of the County of Devon, with Remarks on the Chevalier D'Eon's Answer.*

S I R,

**D**OCTOR Musgrave's address to the freeholders of the county of Devon, and the chevalier D'Eon's answer to it, having engrossed the public attention, give me leave, through the channel of your paper, first, to consider the nature and tendency of the address, and then, to make a few remarks on the chevalier's answer.

Dr. Musgrave has told us a series of facts within his own knowledge, the authenticity of which are corroborated by the names of the parties concerned, and the periods in which they were transacted. He tells us, that Sir George Yonge, Mr. Fitzherbert, and other members of parliament, informed him at different times, that the chevalier D'Eon was ready to impeach three persons of selling the peace to the French—that Sir George Yonge in particular told him, that he understood the charge could be supported by written as well as by living evidence. By the direction of Doctor Blackstone, Mr. Musgrave went to lord Halifax on the 10th of May, 1765, and delivered to him an exact narrative

narrative of the intelligence he had received at Paris concerning the late peace, and at the same time gave him copies of four letters to and from lord Hertford. *On the 17th of May, 1765*, just seven days after he delivered the narrative to lord Halifax, Mr. Fitzherbert told the Doctor, that overtures were then making to the chevalier D'Eon to get his papers from him for a stipulated sum of money. Lord Halifax, although repeatedly pressed by Dr. Musgrave to enquire into the truth of the charge, first, objected to all public steps that would lead to the truth, to avoid giving *an Alarm*; and, at last, absolutely refused to take any cognizance of it, either in private or publick. Thus frustrated in every application to the secretary of state, the doctor carried his papers to the speaker, who very readily allowed the expediency of their being laid before the house of commons, but at the same time peremptorily refused to promote the enquiry.

This, Sir, is the substance of Dr. Musgrave's address, which carries with it such a face of authenticity, that nothing but a public investigation of the facts, can exculpate the parties concerned. As to the tendency of it, every unprejudiced reader must allow, that the public good, and not an inclination to aggravate the guilt of any particular person, was his object.

If the allegations contained in the address are not fairly stated—if Doctor Musgrave has been guilty of injuring private characters, and of imposing falsehoods on the public—why, in God's name, is he not contradicted?—Why do not the accused exculpate themselves?—Why are not the public undeceived?—Why should *they* be silent whose conduct is principally arraigned, and a vindication, such as it is, be published by a man, whose veracity in this respect is by no means to be relied on? For when his papers were purchased from him, the condition of the obligation no doubt was, that their contents should be buried in oblivion.

When the official conduct of a secretary of state, or of any other servant of the crown is arraigned, the public have an undoubted right to be satisfied either of their guilt or innocence, in order that the law of the land may in either case take effect. When the character of an honest man is unjustly and publicly attacked, he will not postpone the vindication of his innocence until a legal enquiry can be set on foot in a court of law; he ought to exculpate himself through the same channel he has been accused. Therefore until Doctor Blackstone tells us the conversation that passed between him and Dr. Musgrave previous to his waiting on lord Halifax—Until lord Halifax informs us whether Doctor Musgrave did or did not deliver to him a narrative of the intelligence he had received at Paris, concerning the peace, in the year 1764, and likewise publish the copies of the four letters to and from lord Hertford; which, as they are of a public nature, his *politeness* need not stumble at—Until Sir George Yonge and Mr. Fitzherbert publicly deny every circumstance relative to their several conversations with Doctor Musgrave, especially what passed between Mr. Fitzherbert and him *on the 17th day of May*,

May, 1765—And until the speaker acquaints us with the reason why he allowed the expediency of laying these important papers before the house of commons, and at the same time *refused to promote the enquiry*—Until all these matters are promulged and sufficiently authenticated, the impartial and dispassionate part of mankind must and will give credit to the facts contained in the address.

I come now, Sir, to make a few remarks on the chevalier D'Eon's answer, which I shall do with the same impartiality I have considered the address, and leave the public to draw the line between the honest sincerity of the Englishman, and the evasive *finesse* of the Frenchman.

Monfieur le chevalier, notwithstanding his long residence in England, and the esteem and friendship he is favoured with from *some* of the inhabitants (the reason of which he knows best) still preserves his *native* insincerity and politeness. His letter to Doctor Musgrave is as foreign to the purpose of an answer to the address, as the conduct of our present ministry in suffering his master, *the grand Monarque*, to conquer Corsica was foreign to the faith of treaty and repugnant to the interest of this kingdom—than which, no two positions can be more opposite.

The chevalier has very *politely* passed some French compliments on the Doctor's oratory and patriotism—has talked a good deal of his own integrity and his zeal for truth—blames him for naming a person of his *vast* consequence in so public a manner, and manfully denies every circumstance he is publicly known to have been concerned in at the time mentioned in the address. But what does all this amount to, with respect to Dr. Musgrave's allegations? He indeed, very justly says, that the evidence of the chevalier would have been decisive at the time he urged lord Halifax to send for him, to examine him and to peruse his papers, which he *then* had in his possession; but in his address to the freeholders of Devon, he neither desires nor expects any proofs from him *now*, because he either knows or shrewdly suspects that no written evidence is now to be found in his custody.

The chevalier desires to know the person or persons in this country, who would have presumed to make an overture to him for the sale of his papers—I wish to God I could tell him!—or rather that I could tell the public—for the chevalier himself, I dare say, wants no information in that affair. It is much to be wished, however, that lord Halifax or the speaker had examined the chevalier, that it might at least have been known what sum was paid by England, and for what consideration it was given to France, at the conclusion of the last ever memorable and *glorious* peace.

TULLIUS,

#### MEMORANDUM.

The chevalier D'Eon in his remarkable answer to Doctor Musgrave's letter, expressly says, "I assure you, I do not know either of these gentlemen", meaning Sir George Yonge, and Mr. Fitzherbert.



Fitzherbert. In contradiction to this it has been positively declared in public by some gentlemen of unquestioned honour and veracity, that twice within these two years, the chevalier dined at the beef-steak club, and at each time he was actually introduced by Mr. Fitzherbert; and further that this remarkable circumstance occurred at the first, if not both of the times of Monsieur D'Eon's being in company, *that several gentlemen thought him guilty of some impropriety of behaviour, because, although he had been long in England, yet he affected to speak the French language, without expressing himself once in English.*

*Narrative of a secret ——— negotiation for the suppression of Doctor Musgrave's letter—and for engaging the chevalier D'Eon to deny the allegations contained in it, concerning the last inglorious peace.*

**L**ORD B—e and his toad-eater the d— of G—n, both knew the contents of Doctor Musgrave's letter, many weeks before it made its appearance in print. They had concerted many schemes to suppress its publication; but all these schemes, however artfully managed, proved abortive. Lord B—e, who came fresh from the school of politics at Rome, embraced still the same propensity for absolute monarchy as he did before he departed from England. He is grown, indeed, more cautious, more masked, but not a jot less enterprising. Foiled in his well-concealed attempts to prevent the publication of Musgrave's letter, his next attempt was to render the publication of it inoperative, and ineffectual. The difficulty lay in compassing this desirable end. He knew very well that one ——— had married a cast-off, who formerly held no mean rank in his toad-eater's seraglio: this same ———, his lordship knew had been confidently intrusted at different times, with the most important secrets of Mr. Wilkes, the chevalier D'Eon, and lord Temple, and therefore the only fit person to be confidentially entrusted, as far as his lordship might deem necessary, with the opening a negotiation for a treaty of union between the earls of B—e, T—e, E—t, C—m, lord H—d, and the petulant d— of B—d. Such a coalition, with his toad-eater at the head, he rightly conceived, would be able to stem any torrent of opposition, were it to roll mountains high. But his lordship, it will be seen, counted without his host. His first intention was to dispatch ——— to Stow. This measure could not be carried into execution but by another mode of application. ——— had already forfeited lord T—e's confidence, but he did not care to acquaint either G—n or B—e with this secret, which could not but be fatal to his own views; he therefore artfully declined going to Stow himself, adding, that the embassy would have greater weight, and probably better success, was the d— of G—n to wait in person on lord T—e. ——— pretended to know the very bait that would tempt his lordship; it was nothing less than a dukedom, and if he ———, was to make the offer, lord T—e, he said, might doubt the performance. By this de-

vice and advice of —, B—e and his toad-eater were easily betrayed into a fond belief of gaining over lord T——e to their faction. Accordingly the d— of G——n was posted down to Stow, and this truly courtly visit was immediately announced in every news-paper throughout the kingdom. The success of this visit is no longer a mystery. The wild, incoherent, crude plan of operations, was conveyed, without loss of time, to Fonthill, and from Fonthill it soon arrived at Plymouth. Dr. Musgrave finding this once formidable and blood-thirsty faction tottering, and failing of support from lord T——e, thought it a glorious opportunity to crush the whole junto, by hanging them out to public view and public odium. With this view, and to do justice to a brave, but greatly injured people, the Doctor, with a courage not to be daunted, published that well-timed letter, which has already unfilmed the eyes of every subject in the kingdom, and will receive a further elucidation if we attend to the following remarkable circumstances. —, who as I have already noticed, is connected with his grace the d— of G——n, by the apron-string tenure, the present modish, and by much the strongest of all holds, has been constantly and most secretly employed for these last six weeks, as a go-between to the d— of G——n, and the *Sei-disant* L'Homme de Caractere, M. D'Eon.

To throw a veil over this mysterious negotiation, and in order to blind the eyes of the prying public, the petty Frenchman who lives in Petty-France, has for this fortnight past been roaring out in every coffee-house he frequents, that Mr. — the go-between above-mentioned, has betrayed his most sacred secrets to the d— of G——, and the whole B——d junto. This flimsy, gawzy device, was no sooner made public, but it was seen through by every tyro in politics. And the Frenchman was compelled by his new employers to lay aside the mask. He was ordered by this new set of masters, who will always tyrannize over him in proportion to the pension they give him : he was ordered I say, flatly to deny every circumstance in Dr. Musgrave's patriotic letter, and boldly to assert, " that he never entered into any treaty for the sale of his papers." Nothing is so easy to Frenchmen, especially if they have been once initiated into the diplomatic corps, as to assert one thing for another, where they know they cannot for the present moment be detected. But what will the good people of England think of the veracity of this same Frenchman, when I call upon him in this public manner to declare for what reason, at whose instigation, and for what valuable consideration in money, he suppressed the publication of *those three letters*, relative to the late peace-makers?

I know, Sir, I speak ænigmatically to the generality of your readers, when I talk of three letters. But the d— of B——d understands me; lord B—— understands me;—and D'Eon, if he has any regard for truth, ought to blush at the bare mention of those three letters. There is but one mortal tye can bind a French gentleman,

gentleman, that is, his word of honour. Let D'Eon then if he dare, lay his hand upon his *Crôix de St. Louis*, and swear upon his *honour*, that he never received directly or indirectly, without equivocation, or mental reservation, any money, pension, emolument, or promise, for suppressing the publication of the three letters in question, and he shall either be credited, or publickly confuted by

The BRITISH SPY.

S I R,

**M**OST of the news-papers of this great metropolis, for this month past, have been crowded with paragraphs, assuring us, there has been no political intercourse, nor even so much as a personal interview between the d— of G— and lord B—, ever since that latter nobleman, on his return from the court of Rome, has skulked into this kingdom. These articles of intelligence are undoubtedly false lights thrown out merely to mislead, and deceive the public. For if we would give ourselves the least moment of reflection, we could not but be convinced of the utter impossibility of their exciting the least shadow of a misunderstanding between this *par nobile fratrum*. Let us only for example in the first place reflect, that the — has on all occasions shewn himself invulsiibly bigotted to the accursed politics of this Scottish despotism. And in the second place, let us reflect, that the d— of G— has only one ruling principle that governs and characterises all his political actions; namely, the principle of holding his premiership for life; and that he must, like his numerous predecessors in office, be instantly divested of that premiership, was he but to hesitate perpetrating any deed that could be devised. Let us, I say, make these momentary reflections, and it will be impossible for the greenest tyro in politics to conceive, there can remain the least doubt, but that the same harmony, the same good understanding subsists this present moment between this well-matched pair of Maichavellian state-empirics, as there did before the timid Thane, to avoid an impending storm, rather chose to make himself an exile. But if there yet can be an Englishman so mole-eyed as not to see into these verities, I would recommend to him the following Collyrium. Take a pugil of euphrasy, and half that quantity of rue, both fresh gathered, and distilled according to art, and cohabate three times; add to this water three scruples of bat's-blood, anoint the eyes morning and evening, during a philosophical month, and the patient will then very clearly see that the —, and lord B—, assisted by that fit tool of power G—e G—e, and afterwards by the d— of G— n, the cæsar Borgia, of the present times, are the only persons who in the —'s name (which they have always made use of as a cat's paw) have governed the British empire these last seven years. As a testimony of this allegation the doctrine of general warrants, is *one* proof; the unusually long imprisonment of Mr. Wilkes, for an offence which is neither treason nor felony, is the *second*; the countenance given to the star-

chamber practice of attachments, is a *third*; the unconstitutional and wanton exercise of the military power is a *fourth*; the screening a secretary of state from speedy justice, who had implicitly obeyed their dictates, is a *fifth*; the bare-faced violation of the undoubted rights of election, is a *sixth*; the corrupt restoration of conquests acquired by an almost incredible effusion of British treasure and British blood, is a *seventh*; the erecting a new secretarial department for American affairs, at the charge of the people of Great Britain, without an act of parliament for that special purpose, is an *eighth*; the internal, or more properly speaking, the infernal taxation of American subjects in their own colonies, unrepresented in our parliament, is a *ninth*; their erecting a new court of enquiry by a select jury of court-surgeons, in order to pave the way to pardon murder, is a *tenth*; the granting pensions for life to assassins, is an *eleventh*; *et pour faire bonne bouche*, as the French say, the rewarding a maid of honour, who had been the confidante of all their intimacies, with the power of appointing her near relation to the sole government of British Asia for three years; and as a farther indulgence to permit her to nominate her Scotch lawyer's nephew, to the supreme uncontrollable command of the British flag in that opulent quarter of the globe, in utter contempt of 160 sea-captains, every one of them his senior in rank and service; this, I say, makes up a complete *donnée* of indisputable proofs.

As this last mentioned proof surpasses, or is worth, in point of value, all the other eleven proofs, so has it been conducted with uncommon secrecy. Perhaps not ten persons in the kingdom, besides myself, could tell the public, with any degree of veracity, that the identical Mr. ———, who conducted many of Mr. Wilkes's very secret negotiations, with so much *honour and satisfaction* to his employer: the identical Mr. ———, who has been almost solely concerned for the chevalier D'Eon, and of whose *probity* the chevalier has *equal* reason to be satisfied: the identical Mr. ———, who, under the mask of taciturnity and confidence, got a peep into lord T——'s cabinet, and of whose confidence and taciturnity it were unkind, though, perhaps, not untrue, to say his lordship has great reason to complain: the identical Mr. ———, who married an acquaintance of his grace and invisible patron the d—— of G——: this identical Mr. ———, I say, has had the conduct of this Asiatic negotiation, and is himself to go out to Asia, in the character of *secret* secretary to Mess. Vansittart and Lindsey. No letters, or at least very few, have passed between a certain ——— lady, a certain Adonis Thane, a certain king-Charles's-breed duke, a certain East-India director, a certain Scotch ——— justice, and a certain maid of honour, relative to this Asiatic appointment, but what have passed, directly or indirectly, through the hands of this same identical Mr. ———.

Judge then, Mr. Printer, if the connections between the earl of B—— and his present toad-eater the d—— of G——, are not  
not

not fall as strong, though not so glaring as they were three years ago: and judge also if the Butean principle of politics, that is to say, a determined principle to enslave this nation, and make the ——— absolute, is not the governing principle that presides in a certain private meeting.

*Cætera desiderantur.*

### THE BRITISH SPY.

\* \* *We are desired by a constant reader to insert an article of intelligence in this place, which he thinks may have escaped public notice.*

WILLIAM FITZHERBERT, Esquire, is one of the commissioners for paving the streets, with Scotch pebbles.

### *Queries tendered to the Chevalier D'Eon.*

THE letter from the chevalier D'Eon is lively and spirited enough, but I really do not think it so clear and intelligible as it ought to be, considering that a point of great importance to this country, and his own honour are in question. I wish he would take the trouble to give a direct answer to the following queries.

1. Does he mean to say that any money was given by England to France to procure the late peace?
2. Does he mean to affirm, bona fide, that he is entirely unacquainted with Mr. Fitzherbert?
3. Does he mean to affirm that no offer was ever made to him to purchase any papers in his possession relative to the late treaty?
4. Whereas the chevalier was some time ago indicted for a libel against count Guerry, and found guilty, will the chevalier condescend to inform the public for what reason he was never brought up to receive sentence; or will he leave us at liberty to suspect that this indulgence arose from some secret compromise between him and our ministry?

I do not expect that the chevalier should enter into an argument with an anonymous writer: but I think, for his own credit, he cannot well avoid giving us, without any figures of rhetoric, a plain answer to the above questions.

DUBIOUS.

### *To the Earl of H—lth—h.*

IN my former address to your l—dth—p, of the 15th of July,\* I stated some of the principal measures of your administration, and promised the public an explanation of your connections, principles, and motives; for, though myself have watched you in your public proceedings, know every charge to be strictly true, yet to those who are but little acquainted with the business of your department, such a series of unexampled blunders may appear too highly coloured, till some reasons are offered, accounting for such notorious delinquencies.

\* See page 164 in our last number.

Some

Some men have been influenced to serve the public from the most noble and exalted motives; such as, universal love and benevolence! a laudable ambition for raising the dignity of the state! abhorrence of public oppressors! &c. &c. &c. Others to gain the praises and adorations of their fellow-men have run great lengths in the paths of virtue; have made themselves the leaders of the people, and champions for the great cause of freedom, till the inducements to forsake both have become too mighty to be resisted, and it is even after they have deserted this cause with reluctance, that they give up the hopes of retaining popular confidence, and, whenever we behold a rising character, we charitably hope, and fondly wish that the spirit of true patriotism may fire the genius, and fill the soul; but you, my lord, have never claimed the merit of even momentarily deceiving us with this pleasing expectation; for, at your first appearance in the senate, (human nature sinks in dignity at the thought, that, while a youth) you discovered an inclination to serve the state: for a more direct, but less honourable reward; you soon lost all influence and affection in Ireland, because you soon discovered no love for that your native country; you early became detested, because you early sought to enslave that kingdom: who then, but the earl of B—, would ever have insulted this great empire so highly, as to employ you in any public office? Can any thing be more absurd than to suppose, that a *man* who would have bartered away the liberties and property of a country, in which he was born and interested, can possibly serve this, where he was a stranger and had no property? Yet the absurdity is not complete, till we recollect, you was placed at the head of the board of trade and plantations; and a separate colonian department made out for you; as if he, who had so notoriously endeavoured to sell one colony, was the only person to be intrusted with the tenderest interests of all; your conduct has proved what every one, who knew your character, expected. The board of trade is become the greatest engine of oppression to commerce; you have lost us the trade of our once valuable plantations, with which that of these kingdoms must soon go too; you have not only made yourself supremely contemptible throughout all America, but have, in about the space of eighteen months, destroyed that necessary mutual love and confidence, which had ever subsisted between that country and this, to the unspeakable advantage of both.

There is one thing, my lord, worth your own observation, as well as that of the public: that is, in all the calamities which we have lately experienced, and which you have been instrumental in bringing upon us, your name has always stood closely connected with those detestable men, who are known to be the tools and partizans of the earl of B—; your principles and motives are undoubtedly the same, for I remember an old proverb—"Tell me the company, and I will show you the man." Whatever opinion the public may have of them, they must therefore have the same of your lordship;—you receive similar wages, you must most assuredly

assuredly share a similar fate:—you called the united voice of America, Mr. Otis's faction. You may perhaps, for a time, stop his ———'s ears against the cries of England, as you did against those of America; and a second time deceive your honest, injured ———, by declaring the voice of the nation and common sense, to be that of a seditious, disappointed party; but know, my lord, and tremble! the murmurs of an incensed people, the people of England, are just; they are universal; they must, they will reach the ———; therefore be prepared to enslave your country, or secure your retreat from its just and awful vengeance.

JUNIUS AMERICANUS.

*Sir William Draper to Junius, on the Republication of his Letters;  
With Junius's Reply.*

T O J U N I U S.

S I R,

Clifton, Sept. 14.

**H**AVING accidentally seen a republication of your letters, wherein you have been pleased to assert, that I had sold the companions of my success; I am again obliged to declare the said assertion to be a most infamous and malicious falsehood; and I again call upon you to stand forth, avow yourself, and prove the charge. If you can make it out to the satisfaction of any one man in the kingdom, I will be content to be thought the worst man in it; if you do not, what must the nation think of you? Party has nothing to do in this affair: you have made a personal attack upon my honour, defamed me by a most vile calumny, which might possibly have sunk into oblivion, had not such uncommon pains been taken to renew and perpetuate this scandal, chiefly because it has been told in good language: for I give you full credit for your elegant diction, well turned periods, and attic wit; but wit is oftentimes false, though it may appear brilliant; which is exactly the case of your whole performance. But, Sir, I am obliged in the most serious manner to accuse you of being guilty of falsities. You have said the thing that is not. To support your story, you have recourse to the following irresistible argument: "You sold the companions of your victory, because when the sixteenth regiment was given to you, you was silent. The conclusion is inevitable." I believe that such deep and acute reasoning could only come from such an extraordinary writer as Junius. But unfortunately for you, the premises as well as the conclusion are absolutely false. Many applications have been made to the ministry on the subject of the Manilla ransom since the time of my being colonel of that regiment. As I have for some years quitted London, I was obliged to have recourse to the honourable colonel Monson and Sir Manuel Cornish to negotiate for me: In the last autumn I personally delivered a memorial to the earl of Shelburne at his seat in Wiltshire. As you have told us of your importance, that you are a person of rank and fortune, and above a common bribe, you may, in all probability, be not unknown to his lordship, who can satisfy you of the truth of what I say. But I shall now take the liberty, Sir, to seize your battery, and turn it against yourself. If your puerile and tinsel logic could carry the least weight or conviction with it, how must you stand affected by the inevitable conclusion, as you are pleased to term it? According to Junius, silence is guilt. In many of the public papers,

pers, you have been called in the most direct and offensive terms, a liar and a coward. When did you reply to these foul accusations? You have been quite silent; quite chop fallen: therefore, because you were silent, the nation has a right to pronounce you to be both a liar and a coward from your own argument; but, Sir, I will give you fairer play; I will afford you an opportunity to wipe off the first appellation; by desiring the proofs of your charge against me. Produce them! To wipe off the last, produce yourself. People cannot bear any longer your lion's skin, and the despicable imposture of the old Roman name which you have affected. For the future assume the name of some modern bravo and dark assassin: let your appellation have some affinity to your practice. But if I must perish, Junius, let me perish in the face of day; be for once a generous and open enemy. I allow that Gothic appeals to cold iron are no better proofs of a man's honesty and veracity than hot iron and burning ploughshares are of female chastity: but a soldier's honour is as delicate as a woman's; it must not be suspected; you have dared to throw more than a suspicion upon mine: you cannot but know the consequences, which even the meekness of christianity would pardon me for, after the injury you have done me.

WILLIAM DRAPER.

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*Hæret lateri lethalis arundo.*

To Sir WILLIAM DRAPER, K. B.

S I R,

AFTER so long an interval, I did not expect to see the debate revived between us. My answer to your last letter shall be short; for I write to you with reluctance, and I hope we shall now conclude our correspondence for ever.

Had you been originally and without provocation attacked by an anonymous writer, you would have some right to demand his name; but in this cause you are a volunteer. You engaged in it with the unpremeditated gallantry of a soldier. You were content to set your name in opposition to a man, who would probably continue in concealment. You understood the terms upon which we were to correspond, and gave at least a tacit assent to them. After voluntarily attacking me under the character of Junius, what possible right have you to know me under any other? Will you forgive me if I insinuate to you, that you foresaw some honour in the apparent spirit of coming forward in person, and that you were not quite indifferent to the display of your literary qualifications?

You cannot but know that the republication of my letters was no more than a catchpenny contrivance of a printer, in which it was impossible I should be concerned, and for which I am no way answerable. At the same time I wish you to understand, that if I do not take the trouble of reprinting these papers, it is not from any fear of giving offence to Sir William Draper.

Your remarks upon a signature, adopted merely for distinction, are unworthy of notice; but when you tell me I have submitted to be called a liar and a coward, I must ask you in my turn, whether you seriously think it any way incumbent upon me to take notice of the silly invectives of every simpleton, who writes in a news-paper; and what opinion you would have conceived of my discretion, if I had suffered myself to be the dupe of so shallow an artifice?

Your appeal to the sword, though consistent enough with your late profession, will neither prove your innocence nor clear you from suspicion.



picion.---Your complaints with regard to the Manilla ransom were, for a considerable time, a distress to government. You were appointed (greatly out of your turn) to the command of a regiment, and during *that administration* we heard no more of Sir William Draper. The facts of which I speak, may indeed be variously accounted for; but they are too notorious to be denied; and I think you might have learnt at the university that a false conclusion is an error in argument, not a breach of veracity. Your solicitations I doubt not were renewed under *another administration*. Admitting the fact, I fear an indifferent person would only infer from it that experience had made you acquainted with the benefits of complaining. Remember, Sir, that you have yourself confessed that, *considering the critical situation of this country, the ministry are in the right to temporise with Spain*. This confession reduces you to an unfortunate dilemma. By renewing your solicitations, you must either mean to force your country into a war at a most unreasonable juncture; or, having no view or expectation of that kind, that you look for nothing but a private compensation to yourself.

As to me, it is by no means necessary that I should be exposed to the resentment of the worst and the most powerful men in this country, though I may be indifferent about yours. Though *you* would fight, there are others who would assassinate.

But after all, Sir, where is the injury? You assure me that my logic is puerile and tinsel, that it carries not the least weight or conviction, that my premises are false and my conclusions absurd. If this be a just description of me, how is it possible for such a writer to disturb your peace of mind, or injure a character so well established as yours? Take care, Sir William, how you indulge this unruly temper, lest the world should suspect that conscience has some share in your resentments. You have more to fear from the treachery of your own passions, than from any malevolence of mine.

I believe, Sir, you will never know me. A considerable time must certainly elapse before we are personally acquainted. You need not, however, regret the delay, or suffer an apprehension that any length of time can restore you to the christian meekness of your temper, and disappoint your present indignation. If I understand your character, there is in your own breast a repository, in which your resentments may be safely laid up for future occasions, and preserved without the hazard of diminution. The *Odia in longum jaciens, quæ reconderet, auSaque promeret*, I thought had only belonged to the worst character of antiquity. The text is in Tacitus;---you know best where to look for the commentary.

J U N I U S.

*Extract of a Letter from an Alderman of BEDFORD to his Son in London.*

*Bedford, Wednesday Sept. 6, 1769.*

My dear Harry,

OUR town is once more free, thanks to a worthy spirited set of gentlemen who have saved us from a bondage which all the noble firmness and independency of the corporation would have struggled with in vain without their assistance.

Mr. Heaven, our mayor, was offered three thousand pounds, and on his refusal of that sum, a *Carte Blanche*. Hill, Cave, Skerington, Howard, &c. the aldermen and common-council will be immortal. They have refused five hundred pounds a man, and one of them fifteen hundred pounds. As soon as the duke of Bedford knew that we were determined to shake off his yoke, the Swan and other houses were opened at Bedford, and for the last week a constant negotiation has been on foot. All the tradesmen and others in London that

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were

were supposed to have any interest with the corporation, were franked down to Bedford to try their influence in favour of the duke.

On Friday last Sir Robert Bernard, with about two hundred gentlemen, came down from London in post-chaises, which encouraged us exceedingly to persevere in spite of menaces and bribes. Above two hundred more came in from the neighbouring country: Amongst whom were the honourable ----- Trevor Hampden, Sir Giles Payne, Bart. the Rev. Charles Dickens, D. D. Rev. James Pavell, D. D. Rev. John Kippax, D. D. Rev. James Torkington, L. L. D. &c.

On Saturday morning the duke of Bedford came to the council-chamber, and objected strongly to Mr. Cawne, who was proposed by the court of aldermen as mayor for the ensuing year. He was answered by the present mayor, Mr. Heaven, that they had fixed on Mr. Cawne in conformity to his grace's former directions to chuse a gentleman of the best character, fortune and abilities; and that they knew no one superior to Mr. Cawne in those respects. His grace then objected to the making of any freemen; though many had been made to oblige him at different times. He called it a *theft*, and *robbing him* of the Borough--- said it was *illegal, impossible*, that they could not justify it: But not being able to prevail in preventing it, his grace then desired they would likewise make some freemen in his interest, which the corporation consented to, and above twenty have been made freemen to oblige him.

The names of the proposed freemen were then read: All which his grace heard in silence till the name of John Horne, of New Brentford, Middlesex, Clerk, was pronounced: His grace could then contain himself no longer. He said, if that was the case, if they admitted such a man as that, all was over, he gave them up; they must expect no more *peace*; that Mr. Horne was a man that would let no one be *quiet* either in his county or his borough; that he had been the cause of all the *disturbances* in Middlesex, London, Surry, and the whole kingdom; that he was a stirrer of *sedition* (we suppose he meant such *sedition* as this;) a restless, turbulent spirit, &c. That if they would go on so, he would bring them into Westminster-hall. He would shew them no mercy. If they made the slightest mistake in their proceedings, they should be prosecuted with the utmost rigour, &c. He charged them with ingratitude and with a breach of their engagements; and on something of this last sort being objected to himself, he answered, that *if he had broken his word with them, it did not justify them for breaking their word with him*. In fine, after much soothing and raging, the corporation determined against the duke by a division of seventeen to eleven. His grace then withdrew, promising them that he would be present on the Monday following.

The corporation then adjourned to the common hall, and swore in a number of freemen, the most respectable it is supposed for property and character that ever were admitted at one time.

On Sunday evening the dukes of Bedford and Marlborough, Sir George Osborne, Sir John Hinde Cotton, George Onslow, Esq; Mr. Whitbread, one of the members for this town, Colonel Burgoyne, Mr. Palmer, the duke's steward, the duke's deputy (as recorder of Bedford) and many others came to the Swan; but not finding that the expresses they had dispatched had brought in any considerable number of freemen, the two dukes quitted the town.

The following is handed about as authentic, and, as said, will be verified by affidavit that the several largesses under-mentioned were venally offered at the late election at Bedford viz.

		“		l.
Mr. Mayor,	from	3000	to	20000
Mr. Harrison,		300	to	450
Mr. Rose,		300	to	350
Mr. Palmer, barber,		300	to	350
Mr. Somner, publican,		500	to	550
Mr. Skevington, baker,		500	to	550
		4800		20250
				4800
				25050

That

That the terms were rejected with disdain, notwithstanding the narrow circumstances of some. It is added, that some of the wives attended their husbands to the place of election, testifying their glory in the uncorrupt and unshaken integrity of their good men, in spite of the meanness of their fortunes.

*To his Grace the Duke of B-----d.*

My Lord,

**Y**OU are so little accustomed to receive any marks of respect or esteem from the public, that if, in the following lines, a compliment or expression of applause should escape me, I fear you would consider it as a mockery of your established character, and perhaps an insult to your understanding. You have nice feelings, my lord, if we may judge from your resentments. Cautious therefore of giving offence, where you have so little deserved it, I shall leave the illustration of your virtues to other hands. Your friends have a privilege to play upon the easiness of your temper, or possibly they are better acquainted with your good qualities than I am. You have done good by stealth. The rest is upon record. You have still left ample room for speculation, when panegyric is exhausted.

You are indeed a very considerable man. The highest rank;---a splendid fortune; and a name, glorious till it was yours, were sufficient to have supported you with meaner abilities than I think you possess. From the first you derived a constitutional claim of respect; from the second, a natural extensive authority; ---the last created a partial expectation of hereditary virtues. The use you have made of these uncommon advantages might have been more honourable to yourself, but could not be more instructive to mankind. We may trace it in the veneration of your country, the choice of your friends, and in the accomplishment of every sanguine hope, which the public might have conceived from the illustrious name of R-----.

The eminence of your station gave you a commanding prospect of your duty. The road, which led to honour, was open to your view. You could not lose it by mistake, and you had no temptation to depart from it by design. Compare the natural dignity and importance of the richest peer of England;---the noble independence, which he might have maintained in parliament; and the real interest and respect, which he might have acquired, not only in parliament, but through the whole kingdom; compare these glorious distinctions with the ambition of holding a share in government, the emoluments of a place, the sale of a borough, or the purchase of a corporation; and though you may not regret the virtues, which create respect, you may see with anguish, how much real importance and authority you have lost. Consider the character of an independent, virtuous duke of -----; imagine what he might be in this country, then reflect one moment upon what you are. If it be possible for me to withdraw my attention from the fact, I will tell you in theory what such a man might be.

Conscious of his own weight and importance, his conduct in parliament would be directed by nothing, but the constitutional duty of a peer. He would consider himself as a guardian of the laws. Willing to support the just measures of government, but determined to observe the conduct of the minister with suspicion, he would oppose the violence of faction with as much firmness, as the encroachments of prerogative. He would be as little capable of bargaining with the minister for places for himself or his dependants, as of descending to mix himself in the intrigues of opposition. Whenever an important question called for his opinion in parliament, he would be heard, by the most profligate minister, with deference and respect. His authority would either sanctify, or disgrace the measures of government. The people would look up to him as to their protector, and a virtuous prince would have one honest man in his dominions, in whose integrity and judgment he might safely confide. If it should be the will of providence to afflict him with a domestic misfortune, he would submit to the stroke, with feeling, but not without dignity. He would consider the people as his children, and receive a generous heart-felt consolation, in the sympathizing tears, and blessings of his country.

Your grace may probably discover something more intelligible in the negative part of this illustrious character. The man I have described would never prostitute

tute his dignity in parliament by an indecent violence either in opposing or defending a minister. He would not at one moment rancorously persecute, at another basely cringe to the favourite of his f-----n. After outraging the royal dignity with peremptory conditions, little short of menace and hostility, he would never descend to the humility of soliciting an interview with the favourite, and of offering to recover, at any price, the honour of his friendship. Though deceived perhaps in his youth, he would not, through the course of a long life, have invariably chosen his friends from among the most profligate of mankind. His own honour would have forbidden him from mixing his private pleasures or conversation with jockeys, gamesters, blasphemers, gladiators, or buffoons. He would then have never felt, much less would he have submitted to the humiliating, dishonest necessity, of engaging in the interests and intrigues of his dependants, of supplying their vices, or relieving their beggary, at the expence of his country. He would not have betrayed such ignorance or such contempt of the constitution, as openly to avow, in a court of justice, the purchase and sale of a borough. He would not have thought it consistent with his rank in the state, or even with his personal importance, to be the little tyrant of a little corporation. He would never have been insulted with virtues, which he had laboured to extinguish, nor suffered the disgrace of a mortifying defeat, which has made him ridiculous and contemptible, even to the few by whom he was not detested---I reverence the afflictions of a good man---his sorrows are sacred. But how can we take part in the distresses of a man, whom we can neither love nor esteem; or feel for a calamity, of which he himself is insensible. Where was the father's heart when he could look for, or find an immediate consolation for the loss of an only son, in consultations and bargains for a place at court, and even in the misery of balloting at the India house!

Admitting then that you have mistaken or deserted those honourable principles, which ought to have directed your conduct; admitting that you have as little claim to private affection as to public esteem, let us see with what abilities, with what degree of judgment, you have carried your own System into execution. A great man, in the success and even in the magnitude of his crimes, finds a rescue from contempt. Your grace is every way unfortunate. Yet I will not look back to those ridiculous scenes, by which, in your earlier days, you thought it an honour to be distinguished; the recorded stripes, the public infamy, your own sufferings, or Mr. R----- fortitude. The event undoubtedly left an impression, though not upon your mind. To *such* a mind, it may perhaps be a pleasure to reflect, that there is hardly a corner of any of his majesty's kingdoms, except France, in which, at one time or other, your valuable life has not been in danger. Amiable man! We see and acknowledge the protection of providence, by which you have so often escaped the personal detestation of your fellow subjects, and are still reserved for the public justice of your country.

Your history begins to be important at that auspicious period, at which you were deputed to represent the earl of Bute, at the court of Versailles. It was an honourable office, and executed with the same spirit with which it was accepted. Your patrons wanted an ambassador, who would submit to make concessions, without daring to insist upon any honourable condition for his sovereign. Their business required a man, who had as little feeling for his own dignity as for the welfare of his country; and they found him in the first rank of the nobility. Belleisle, Goree, Guadalupe, St. Lucia, Martinique, the Fishery, and the Havanna, are glorious monuments of your grace's talents for negotiation. My lord, we are too well acquainted with your pecuniary character, to think it possible, that so many public sacrifices should have been made, without some private compensations. Your conduct carries with it an interior evidence, beyond all the legal proofs of a court of justice. Even the callous pride of lord Egremond was alarmed. He saw and felt his own dishonour in corresponding with you; and there certainly was a moment, at which he meant to have resisted, had not a fatal lethargy prevailed over his faculties, and carried all sense and memory away with it.

I will not pretend to specify the secret terms on which you were invited to support an administration, which lord Bute pretended to leave in full possession of their ministerial authority, and perfectly masters of themselves. He was not of

a temper to relinquish power, though he retired from employment. Stipulations were certainly made between your grace and him, and certainly violated. After two years submission, you thought you had collected a strength sufficient to controul his influence, and that it was your turn to be a tyrant, because you had been a slave. When you found yourself mistaken in your opinion of your gracious master's firmness, disappointment got the better of all your humble discretion, and carried you to an excess of outrage to his person, as distant from true spirit as from all decency and respect. After robbing him of the rights of a king, you would not permit him to preserve the honour of a gentleman. It was then lord Weymouth was nominated to Ireland, and dispatched (we well remember with what indecent hurry) to plunder the treasury of the first fruits of an employment which you well knew he was never to execute.

This sudden declaration of war against the favourite might have given you a momentary merit with the public, if it had either been adopted upon principle, or maintained with resolution. Without looking back to all your former servility, we need only observe your subsequent conduct, to see upon what motives you acted. Apparently united with Mr. Grenville, you waited until lord Rockingham's feeble administration should dissolve in its own weakness. The moment their dismissal was suspected, the moment you perceived that another system was adopted in the closet, you thought it no disgrace to return to your former dependance, and solicit once more the friendship of lord Bute. You begged an interview, at which he had spirit enough to treat you with contempt.

It would now be of little use to point out, by what a train of weak, injudicious measures, it became necessary, or was thought so, to call you back to a share in the administration. The friends, whom you did not in the least instance desert, were not of a character to add strength or credit to government; and at that time your alliance with the duke of Grafton was, I presume, hardly foreseen. We must look for other stipulations to account for that sudden resolution of the closet, by which three of your dependants (whose characters, I think, cannot be less respected than they are) were advanced to offices, through which you might again controul the minister, and probably engross the whole direction of affairs.

The possession of absolute power is now once more within your reach. The measures you have taken to obtain and confirm it, are too gross to escape the eyes of a discerning judicious prince. His palace is besieged; the lines of circumvallation are drawing round him; and unless he finds a resource in his own activity, or in the attachment of the real friends of his family, the best of princes must submit to the confinement of a state-prisoner, until your grace's death, or some less fortunate event, shall raise the siege. For the present you may safely resume that stile of insult and menace, which even a private gentleman cannot submit to hear without being contemptible. Mr. Mackenzie's history is not yet forgotten, and you may find precedents enough of the mode in which an imperious subject may signify his pleasure to his sovereign. Where will this gracious monarch look for assistance, when the wretched G-----n, could forget his obligations to his master, and desert him for a hollow alliance with such a man as the duke of -----!

Let us consider you then as arrived at the summit of worldly greatness: let us suppose that all your plans of avarice and ambition are accomplished, and your most sanguine wishes gratified in the fear, as well as the hatred of the people: Can age itself forget that you are now in the last act of life? Can grey hairs make folly venerable? and is there no period to be reserved for meditation and retirement? For shame, my lord; let it not be recorded of you, that the latest moments of your life were dedicated to the same unworthy pursuits, the same busy agitations, in which your youth and manhood were exhausted. Consider that, although you cannot disgrace your former life, you are violating the character of age, and exposing the impotent imbecility, after you have lost the vigour of the passions.

Your friends will ask, perhaps, whither shall this unhappy old man retire? Can he remain in the metropolis, where his life has been so often threatened, and his palace so often attacked? If he returns to W-----n, scorn and mockery await

await him. He must create a solitude round his estate, if he would avoid the face of reproach and derision. At Plymouth, his destruction would be more than probable; at Exeter, inevitable. No honest Englishman will ever forget his attachment, nor any honest Scotchman forgive his treachery to lord Bute. At every town he enters he must change his liveries and his name. Which ever way he flies, the HUN and CRY of the country pursues him.

In another kingdom indeed, the blessings of his administration have been more sensibly felt;---his virtues better understood;---or at worst, they will not, for him alone, forget their hospitality.---As well might VERRES have returned to Sicily. You have twice escaped, my lord;---beware of a third experiment. The indignation of a whole people, plundered, insulted, and oppressed as they have been, will not always be disappointed.

It is in vain therefore to shift the scene. You can no more fly from your enemies than from yourself. Persecuted abroad, you look into your own heart for consolation, and find nothing but reproaches and despair. But, my lord, you may quit the field of business, though not the field of danger; and though you cannot be safe, you may cease to be ridiculous. I fear you have listened too long to the advice of those pernicious friends, with whose interests you have sordidly united your own, and for whom you have sacrificed every thing that ought to be dear to a man of honour. They are still base enough to encourage the follies of your age, as they once did the vices of your youth. As little acquainted with the rules of decorum, as with the laws of morality, they will not suffer you to profit by experience, nor even to consult the propriety of a bad character. Even now they tell you, that life is no more than a dramatic scene, in which the hero should preserve his consistency to the last, and that as you lived without virtue, you should die without repentance.

JUN IUS.

*To his Grace the Duke of GRAFTON, on the true Meaning of*  
My Lord *the word PARTY.*

**H**OWEVER ministerial writers may attempt to brand the opposition with the odious name of faction; however they may find fault with the features, complexions, and the professions of the friends of the constitution; however they may cavil at the *words* of a petition, and endeavour by their ridiculous criticisms to confound the intention with the mode of application; every honest, dispassionate man must, while their endeavour tends to the public good, applaud the *motives* of their conduct, however their *judgments* may be mistaken either in the language or modification.

Properly speaking, my lord, by *party* we understand a national division in point of opinion concerning some fundamental principles or modes of government. While the real interest of our country is the only object of opposition---while this national division only regards the public measures of administration---it is not at all incompatible with that national concord which ought to unite the people when the general safety of the constitution is at stake. It is the jealousy of patriotism, not the rancour of party---the warmth of candour, not the violence of hate. But when the interest of our country, as founded on the laws of the constitution, ceases to be the subject of contention---when the opposition no longer regards public measures, but are stimulated by personal considerations, or personal animosities, the virtue which united them in the service of the constitution, will then cease and degenerate into a faction.

Whether the present opposition is founded on the principles of true patriotism, or whether it is only agitated by a malicious spirit of personal dislike to the conductors of government, and not to the pernicious measures they have adopted, or whether they deserve to be stigmatized by mercenary writers as disaffected subjects,

sedition and turbulent incendiaries, I appeal, my lord, to the distinguished loyalty and unshaken zeal for the constitution which have always marked the characters of the gentlemen in the opposition;—I appeal to the many instances of unconstitutional measures that have been practised by the present ministry; measures, my lord, which have fixed such an indelible stain of infamy on their characters here, as will not be expunged from their memories hereafter.

That there is a faction, and a wicked one in this unhappy country, is, alas! too true, but that it is to be found in the opposition is equally false: wherever it exists, it does not become me to enquire; but as I have freely given my opinion of *party*, and have, I hope, fully proved, that the disinterested love of the constitution is the only object of the present opposition to government, I shall now point out the distinguishing marks of *faction*, and leave the disquisition to your grace's sagacity, whether it exists in the neighbourhood of Bishopgate-street—the purlieus of St. James's, or any other part of the kingdom.

A faction, my lord, is a combination of men who do not act from any settled principles of party—from any just motives of national benefit, or from any generous sentiments of honour; but who, without regard to the public voice, without any compunction of shame, or remorse of conscience, obstinately pursue their own private advantage at the expence of every moral and social virtue, and often to the irreparable injury of their country. Such, my lord, is the distinction between faction and party; and to the impartial, the dispassionate part of mankind, I submit, whether your most zealous advocates can justly accuse the present opposition either of disloyalty or sedition.

However active you may be in promoting your own interest, and that of your dependants; however zealous you are to defend your public character; however alert in divulging insignificant transactions to your royal master; yet, my lord, that you have been deficient in one of the principal duties of your office, an enquiry into some recent matters, will incontestibly prove.

The moment your grace received that infamous letter from Mr. S—— V——, you hastened back to the KING, whom you had just parted with, and with an ill-natured avidity communicated the contents. It was indeed a convincing proof of the writer's apostasy, but the divulging it first to your sovereign, and then to the public, was by no means a testimony of your incorruptibility. The reversion of the employment was pre-disposed of. If that had not been the case, or if Mr. V—— had been the highest bidder, not a tittle of the transaction would have come to light. Mr. V—— would have been in possession of the reversion; your grace would have *pocketed* the affront, and the public would have been totally ignorant of the whole matter.

Bribery, however notorious, is generally practised in such secrecy as not to admit of positive, legal proof. It is connived at, because the parties on each side are equally and apparently guilty: for this reason, my lord, those heavy charges contained in Doctor Musgrave's address may, in all probability, fall to the ground, without any constitutional enquiry. You rejoice that none of

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*To his Grace the Duke of GRAFTON*

My Lord *the word PAR*

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continued, see Page 138.

Excellency the Governor was pleased  
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FRA. BERNARD.

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is drawing to a conclusion, I must desire that you  
answer to my message of Thursday last, and that you  
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urnishing them, and the charges of purchasing such pro-  
are directed by act of parliament to be provided by the  
; and that you will also give an answer, whether you  
will not establish funds for the future supplying provisions,  
ording to act of parliament, to the troops quartered in bar-  
ks in the town of Boston, or which shall or may be quartered  
the provincial barracks on the Castle-island, or either of them.  
and I desire that you will be implicit and distinct in these partic-  
ulars, that there may be no mistake in the report of your reso-  
lutions on these heads :

In my former message I omitted to inform you, that the bar-  
racks on Castle-island will not conveniently hold a regiment  
without an additional building for officers rooms; the want of

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these allegations can be laid to your account. Nobody, I am sure, will deny you that self-exultation, when such sort of negative merit is the only virtue you can boast of in your public character. Indeed, the only merit your most sanguine advocates contend for, is your steady perseverance in those measures you have hitherto adopted. Now, my lord, should you make any concessions—if you deviate in the least from the political paths you have trod in—if either through love of self-interest, or fear of public vengeance (for no other motive can urge you to it) you procure Colonel Luttrell's removal as member for the county of Middlesex, and suffer Mr. Wilkes to supply his place, the few friends you have left must be for ever silent even in their praises of your uniformity of conduct. Besides, such a step would utterly destroy the whole system of law and politics contained in that laborious pamphlet, erroneously intitled, "*The Case of the late election for the county of Middlesex, as founded on the laws of the constitution*"—would point blank give the lie to Dr. Blackstone's *verbal*, though quite consistent with his *written* opinion,—and would, in fact, be an attempt once more to prove that a majority is a minority.

Are there not many enormities, my lord, of a more public nature, and of a more dangerous tendency to the well-being of the constitution, than the ridiculous letter of a half-witted merchant, which an upright minister ought to investigate? It was no part of your official duty—it was by no means a proof of your integrity to expose that vile scroll—it was a breach of faith, for though a villainous, it was still a confidential letter.

Have you faithfully told your master that a right reverend bishop has been notoriously guilty of a breach of one of the fundamental laws of the constitution?—That instead of an imposition of hands, to confirm his flock in the practice of true Christian piety, he has endeavoured to fleece them not only of their natural prerogative, but of every moral virtue, by an imposition on their consciences?—That instead of performing the duties of his spiritual function, he has been tampering with the infirmities of his fellow-creatures, and with all the haughtiness of sacerdotal pride, commanding them to vote at an election, contrary to all laws both human and divine.—Has your grace impartially represented to your sovereign the temper and disposition of his subjects?—Have you laboured to persuade him, that with the good of the community his own happiness is blended?—That on the general weal his own glory is grafted?—That the liberty to complain of grievances is a constitutional right?—That the public voice is the oracle which he ought to consult, and that it is the best, the unerring decider of merit and of virtue?—These, my lord, are the duties incumbent on your station: these are the truths which you ought to inculcate on the mind of your sovereign. On such a minister, and such only, ought royal munificence to lavish its favours.—The star will lose its lustre when placed on a polluted breast.—Honours, partially and undeservedly bestowed, only serve to disgrace the possessor in the estimation of the wise and virtuous, and instead of public approbation, he will meanly rise to splendid infamy.

T U L L I U S.

*American Papers continued, see Page 138.*

*Boston, July 13. Thursday last his Excellency the Governor was pleased to send the following Message to the House of Representatives, viz,*

*Gentlemen of the House of Representatives,*

I Hereby communicate to you an extract of a letter I have received some time ago from general Gage, desiring that I would lay before you the accounts of the expenditures incurred by quartering his majesty's troops at Boston, that funds may be provided for discharging the same. I accordingly lay before you the said accounts, as communicated to me by Colonel Robertson, together with a copy of a letter from him upon the subject. The vouchers referred to in the said letter are in the hands of Colonel Joseph Goldthwait, who will produce the same to your order. I desire that you will take these accounts into your consideration, and provide proper funds for discharging the same, so far at least as you are required by law.

I am also desired by the general, to make a requisition to you, that provision may be made for the further quartering his majesty's forces in the town of Boston, and Castle-island, according to act of parliament.—This provision was made for the 69th regiment, whilst it was quartered in the Castle-island, by my order, with the advice of council. But now the general court is sitting it is proper that you should take order in this business, and especially in providing funds for that purpose, without which further provision cannot be made. I desire you would act thereupon as soon as you can. I understand that the quartering the 29th regiment in the castle-barracks is delayed for want of it.

July 6, 1769.

FRA. BERNARD.

Yesterday his excellency the governor was pleased to send the following message to the house of representatives, viz.

*Gentlemen of the House of Representatives,*

As the session is drawing to a conclusion, I must desire that you will give an answer to my message of Thursday last, and that you will distinguish between the charges arising from the hiring barracks and furnishing them, and the charges of purchasing such provisions as are directed by act of parliament to be provided by the province; and that you will also give an answer, whether you will or will not establish funds for the future supplying provisions, according to act of parliament, to the troops quartered in barracks in the town of Boston, or which shall or may be quartered in the provincial barracks on the Castle-island, or either of them. And I desire that you will be implicit and distinct in these particulars, that there may be no mistake in the report of your resolutions on these heads:

In my former message I omitted to inform you, that the barracks on Castle-island will not conveniently hold a regiment without an additional building for officers rooms; the want of

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such

such a building has been enquired into by the commissary, and found to be real; and an estimate of the expence has been made, which I understand amounts to 260l. I desire that you will take this also into consideration, and let me know your resolution thereupon.

FRA. BERNARD.

July 17, 1769.

July 14. The following answer was sent to his excellency's two messages of the 6th and 12th instant.

May it please your Excellency,

The house of representatives have contemplated your several messages of the 6th and 12th instant, as fully as the time to which you were pleased to limit them would admit.

And as general Gage's letter on this subject, dated the 15th of May, of which we are favoured with an extract only, must have been received before the meeting of the general assembly, we think it very extraordinary, that your excellency should suffer five or six weeks to elapse, before you thought proper to give us the least intimation of this matter. It is also surprising, that as the barrack master general, Colonel Robertson, was in Boston near a month, the greater part of which time the general assembly was sitting, we never before heard of the "demand, which he has had the honour to make," as he is pleased to express himself in his letter to your excellency, of the 13th of June.

It is wonderful indeed, that this house should have no notice of that demand, till the 6th instant, and that a quickening message should so soon follow. Between these messages, Lord's day intervening, the house had adjourned as usual, from Saturday to Monday.

But it is truly astonishing, when the gracious desires of Majesty itself, of aids in men and money, in the late war, in which we were so closely allied with our fellow subjects and brethren of Great Britain, as well as of America, and on other no less arduous occasions, have with royal clemency, and great condescension, ever been intimated in the form only of a requisition, the barrack-master general should hold so high and peremptory a tone, as the word demand, must necessarily imply. The indignity thus offered to your excellency's commission, would have been an affair entirely between your excellency and the barrack-master general, had it not been communicated to us as an appendage, nor accompanied your message on the 6th instant, the subject of which we shall now more immediately consider.

The public proceedings of this house, will, we trust, sufficiently convince to the whole world, and to all posterity, the idea we entertain of the sudden introduction of a fleet and army here; of the unparalleled methods used to procure this armament, and the indefatigable pains of your excellency, and a few interested persons, to keep up a standing force here by sea and land, in a time of profound peace, under the mere pretence of the necessity of such force, to aid the civil authority. But were it a time of war,

and

And the necessity of such a force ever so great, of which it is admitted the King, by virtue of his undoubted prerogative of marching his armies, and directing his fleets to any part of his realm and dominions, is the sole judge; yet, Sir, it should ever be remembered, that the very nature of a free constitution, requires that those fleets and those armies, should be supported only by aids voluntarily granted by the commons. Thus, till very lately, they have been supported, not only in Great Britain and Ireland, but in all the British dominions.

May it please your excellency, we are now constrained to be very explicit upon the funds proposed, and the law alluded to, both in your message of the 6th instant, and in the extract of General Gage's letter before us. By funds, we presume, is meant a provision for the reimbursement of such expences as have been occasioned, or may accrue, in consequence of quartering the troops here; and by law, we presume, is meant the mutiny act, so commonly called, which was passed in the 6th year of the reign of our most gracious sovereign. By this act it is declared, the officers and soldiers quartered as therein more particularly expressed, shall from time to time be furnished and supplied, by a person or persons, to be authorized or appointed for that purpose, by the governor and council of each respective province; or upon the neglect or refusal of such governor and council in any province, then by two or more justices of the peace, residing in or near the place of quartering, with fire, and other enumerated articles, and that the respective provinces shall repay such person or persons, all such sum or sums of money, by him or them paid for the taking, hiring, and sitting up uninhabited houses, and for furnishing the officers and soldiers therein, and in the barracks, with fire, and the other enumerated articles; and such sum or sums, are by the said act required to be raised in such manner, as the public charges for the provinces respectively are raised: and it is also further declared by the said act that the extraordinary expences of carriages shall be paid by the province or colony, where the same shall arise.

From hence it is obvious, that a governor and council have no more right by this act, to draw any money out of the colony treasury, than the two justices mentioned therein. The duty prescribed is entirely confined to the appointment of a person or persons to furnish and supply the articles in said act mentioned. Such is the unreasonableness and severity of the act, that it leaves to the assemblies not the least colour of a privilege, but only the pitiful power to raise the sums in such manner as the public charges of the provinces respectively are raised. Hence it is manifest how unwarrantably the governor and council have acted in the payments they have ordered between the dissolution of the last year's assembly, and the convening of this, for articles furnished his Majesty's 65th regiment, lately quartered in the barracks at Castle William: for it is known, there was no fund provided;

vided; consequently, there could be no appropriation made by the general court for that purpose.

We shall now, with your excellency's leave take a nearer view of the act of parliament above-mentioned. This whole continent has, for some years past, been distressed with what are called acts for imposing taxes on the colonists, for the express purpose of raising a revenue, and that without their consent in person, or by representatives. This subject has been so fully handled by the several assemblies, and in the publications that have been made, that we shall be as brief as possible upon that head: but we take leave to observe that, in strictness, all those acts may be rather called, acts for raising a tribute in America, for the further purposes of dissipation among placemen and pensioners. And if the present system of measures should be much further pursued, it will soon be very difficult, if possible to distinguish the case of widows and orphans in America, plundered by infamous informers, from those who suffered under the administration of the most oppressive of the governors of the Roman provinces, at a period when that once proud and haughty republic, after having subjugated the finest kingdoms in the world, and drawn all the treasures of the East to Imperial Rome, fell a sacrifice to the unbounded corruption and venality of its grandees. But of all the new regulations, the Stamp Act not excepted, this under consideration is the most excessively unreasonable. For in effect, the yet free representatives of the free assemblies of North-America, are called upon to repay of their own and their constituents money, such sum or sums, as persons over whom they can have no check or controul may be pleased to expend; As representatives we are deputed by the people, agreeable to the royal charter and the laws of the province. By that charter, and the nature of our trust, we are only empowered to grant such aids, and levy such taxes, for his majesty's service, as are reasonable, of which, if we are not free and independent judges, we can no longer be free representatives, nor our constituents free subjects. If we are free judges, we are at liberty to follow the dictates of our own understanding, without regard to the mandates of another; much less can we be free judges, if we are but blindly to give as much of our own and our constituents substance as may be commanded, or thought fit to be expended, by those we know not.

Your excellency must therefore excuse us in this express declaration, that as we cannot, consistently with our honour or interest, and much less with the duty we owe our constituents, so we shall never make provision for the purposes in your several messages above mentioned.

July 15. His excellency the governor prorogued the general assembly of this province to the 10th of January next; after having first signed seven bills, and making the following speech, viz.  
Gentlemen

## Gentlemen of the House of Representatives.

At the opening of this session, I had in contemplation the expediency of passing the public bills which were necessary to the government with all due expedition, and particularly the supply bill, without which the whole provincial debt, by a law then subsisting, would have been levied in one year, which would have been a great burthen upon the people. And I had resolved with myself to promote the expediting such necessary bills, and to avoid and remove, as far as I could, all difficulties which might obstruct the same. But, you gentlemen, had not the same disposition; you not only put a stop to all real business, with the most trifling pretence, for some weeks together; but you endeavoured, by all means you could, to oblige me, in the course of my duty, to put an abrupt end to this session, before you would permit the necessary business of the Province even to be brought before you.

In this, gentlemen, you had some success; you put me under the difficulty of either not making proper provision for the necessary service of the government, which could not be done without continuing the session, or by a continuation of it, shewing a want of regard to the dignity of the crown. The assertions, declarations and resolutions, which you have from the beginning of the sessions to this time, continued to issue, in direct opposition to the sense of the sovereign legislature, as it has been lately declared, and in terms entirely inconsistent with the idea of this province being a part of the British empire, would have demanded of me an immediate vindication of the honour of the crown, by putting an early end to this session, if I had not been restrained by my concern for the exigencies of the state. And I must rely upon his Majesty's favourable indulgence in accepting my attention to the necessities of the people, in lieu of the resentment which was due to the misbehaviour of their representatives.

To his majesty therefore, and, if he pleases, to his parliament, must be referred your invasion of the rights of the imperial sovereignty. By your own acts you will be judged: you need not be apprehensive of any misrepresentations; as it is not in the power of your enemies, if you have any, to add to your publications: they are plain and explicit, and need no comment.

It is my duty, and I shall do it with regret, to transmit to the King true copies of your proceedings: and, that his majesty may have an opportunity to signify his pleasure thereupon before you meet again, I think it necessary to prorogue this general court immediately to the usual time of its meeting for the winter session.

Council Chamber, July 15.

FRA. BERNARD.

The representatives of this province, have, in a large house of upwards of an hundred members, unanimously remonstrated against the administration of Sir Francis Bernard, baronet, of Nettleham,

Nettleham, governor of the province, as having been corrupt and arbitrary; and humbly petitioned the King, that he may be for ever removed from this government.—It is said that above a dozen articles are therein exhibited against him, with authentic proofs chiefly taken from his own letters and speeches of former and latter dates.

*A true Copy of the Dutiful and Loyal Petition of the Town of Boston, the Metropolis of the Province of Massachusetts-Bay, to the King's most excellent Majesty, which passed, Nemine Contradicente, at an Annual Meeting of the said Town, legally called and held in March last, and by their Order, Signed by the Moderator, and transmitted to the Honourable Isaac Barre, Esq; in London, to be presented by him to his Majesty as soon as might be.*

To the King's most Excellent Majesty.

Most Gracious Sovereign,

**W**E your Majesty's loyal subjects the freeholders and inhabitants of the town of Boston, the capital of your province of Massachusetts-Bay, being legally assembled in town-meeting, beg leave to approach your Majesty; and humbly implore your royal attention, while we bring our complaints to the throne, where your aggrieved subjects cannot fail of redress.

It is our consolation, amidst all our sufferings, that the British throne is filled with a sovereign, adorned with every princely virtue; whose royal ear is ever attentive to the humble petitions of the remotest of his subjects. And we beseech your Majesty to indulge us at this time in a particular address, as our circumstances are rendered peculiarly perplexed and distressing.

Nothing could have more affected us with grief and anxiety, than to perceive the concern which your Majesty has expressed, that a spirit of faction had broke out in some of your American colonies, and that the capital town in one of them, had been represented to your majesty, as being in a state of disobedience to all law and government: but when it appeared that such advices had been laid before your Majesty's ministers, as to induce the house of lords, expressly to resolve, that the town of Boston had been in a state of disorder and confusion for some time past, we were struck with astonishment as well as grief.

We deeply lament that disorders have taken place in any part of your majesty's dominions: but such is the imperfection of all human affairs, that these will be found, even in the best regulated societies, and under the happiest government.—Your Majesty, in your great wisdom and clemency, will make favourable allowances for any errors and faults that are not inconsistent with settled principles of loyalty, and due obedience to government.

—With the strictest truth, we can assure your majesty, that none of your subjects of this town, can be justly charged with  
disaffection



disaffection to your royal person, family or government, or even a disposition to oppose the due restraints of law and constitutional authority. Permit us with the warmest affection and duty to assure your Majesty, that the only instance that could bear a representation of disorder and confusion in this town within the year past, was, in a great measure, occasioned by the misconduct of some of your Majesty's servants here; who, by exercising a power not warranted by the acts of parliament, or beyond their direction, had irritated the minds of some individuals of your Majesty's subjects, and excited them to such proceedings as we cannot pretend to justify: but this disorder was immediately discountenanced by the body of the inhabitants, and very soon suppressed. Your Majesty's council however, met upon the occasion, and appointed a committee of their own body, consisting of such members as bore commissions for the peace in the county, to enquire into the disorder and bring the offenders to punishment: but your majesty's governor thought proper afterwards, not to encourage this process, preferring, as we are informed, another method of procedure. Accordingly we find by the printed votes of the house of commons, minutes of depositions, relating to this affair, transmitted by the governor to your Majesty's secretary of state, which have operated to the great disadvantage of this town, while after our careful enquiry, we have not to this moment the full knowledge of what they contain, nor of the magistrate before whom they were taken: and yet we have reason to fear that from the process of civil justice thus laid aside, occasion has been taken, to form a representation, to your Majesty's ministers, not only that illegal acts had been committed by some individuals among us, but that the inhabitants in general were in a state of oppugnation to all law and government.— With all submission to your majesty, but with a confidence which will ever accompany innocence and truth, we can declare; that the course of justice has never been interrupted in any of your Majesty's courts, nor even before a single magistrate; nor can an instance be produced of so much as an attempt to rescue any criminal out of the hand of justice: And though some of the custom-house officers may have been treated ill, occasioned by some imprudent and unprecedented conduct on their part; yet the payment of the duties required by those acts of parliament, which are complained of by your Majesty's American subjects as grievous to them, has never been interrupted here. And there has been a disposition among all your Majesty's subjects of this town, orderly and dutifully to wait for that relief, which we still hope for from your Majesty's wisdom and clemency, and the justice of your parliament. We therefore beg leave humbly to submit to your majesty, whether those representations must not have been greatly exaggerated, and injurious to your faithful subjects, which have induced the lords to resolve, that the state of the town of Boston has been a scene of disorder and confusion.

Your

Your Majesty will be graciously pleased further to indulge us, in expressing our deep concern, that the public transactions of the town have been represented to administration in such a light as to incur the censure of the lords, and we still fear an unspeakably greater misfortune, your Majesty's displeasure. Far be it from us to bring upon ourselves, by our own conduct, the displeasure of our gracious sovereign, to whom we have ever borne, and do still bear, true and faithful allegiance.——Unfortunately for the inhabitants of this town, their public conduct has been arraigned as undutiful, disaffected, and even rebellious; under this apprehension, the select men of the town thought it their duty respectfully to wait on your Majesty's governor of this province, intreating that he would communicate to them an account of facts as he had stated them since the commencement of the last year; that the town, having a clear and precise understanding of such matters as might appear to have been alledged against it, might be able to make its own defence. They also prayed that the governor would condescend so far, as to point out to the town, in what respects he apprehended its public transactions might appear to have militated with any law, or the British constitution; that the town might either retract its error or vindicate its own conduct: but the governor did not think proper to grant their request.——Thus your Majesty's aggrieved subjects have been totally kept in ignorance of such representations as have been made against them, even until they have felt their unhappy effects. For it has been judged proper, that your Majesty's troops should be ordered here, and stationed in the body of the town, contrary, as we humbly apprehend, to the manner prescribed in the act of parliament made for the provision of quarters for your Majesty's troops in America, upon a representation of their necessity to aid the civil authority and preserve the peace, while, as we humbly conceive, all who have had an opportunity of nearly observing our behavior with an unprejudiced eye, will allow, that your Majesty's subjects of this town are, and have been, as orderly and peaceable, as submissive to law and just authority, and as truly loyal to their sovereign, as any subjects in your Majesty's extended empire.——We therefore, with hearts full of affection and duty, and with the warmest attachment to our constitutional rights, liberties and privileges, most humbly beseech your Majesty to allow us to declare, that those accounts are ill grounded, which may have represented us as held to our allegiance and duty to the best of sovereigns, only by the band of terror and the force of arms. We cannot therefore forbear most ardently to supplicate your Majesty, to remove from the town a military power. A power, which the strictest truth will warrant us to declare is unnecessary for the support of civil authority among us; for which we have the public testimony of your Majesty's council. A power, which your subjects cannot but consider as unfavourable to commerce, destructive

to morals, dangerous to law, and tending to overthrow the civil constitution, more especially at so great a distance from the throne.

We fly to the clemency and justice of our sovereign and common father, from the distresses brought upon us through the misapprehensions of our distant fellow subjects, founded, as we conceive, on groundless reports, and the false accusations of some of your majesty's principal servants here. And we intreat that your Majesty would be graciously pleased to give orders that the town may be favoured with governor Bernard's letters, the memorials of the commissioners of the customs here, and other papers, which must so deeply affect their important interests: that they may have the justice of being heard, upon notice, by council, upon any matters of charge that may have been brought against them; and of laying before your Majesty, and the whole nation, what they may have to offer in their vindication. — If such an opportunity might be allowed them, they doubt not being able to make their innocence appear to the satisfaction of their sovereign, and the shame of their accusers.

Your Majesty possesses a glory superior to that of any monarch on earth—the glory of being at the head of the happiest civil constitution in the world; and under which, human nature appears with the greatest advantage and dignity—the glory of reigning over a free people, and of being enthroned in the hearts of your subjects. Your Majesty therefore, we are sure, will frown, not upon those who have the warmest attachment to this constitution, and to their sovereign, but upon such as shall be found to have attempted, by their misrepresentations, to diminish the blessings of your Majesty's reign, in the remotest parts of your dominions.

Your Majesty's faithful and loyal subjects, the freeholders and inhabitants of the said town, as in duty bound, shall ever pray, &c.

*It is necessary in this place to remind our readers, that governor B——d is arrived at London, and it is therefore to be expected that he will clear up his conduct to the satisfaction of the whole nation, which is so deeply interested in the event of the long and warm contest between them and the inhabitants of the town of Boston, the commerce of the mother country having been thereby greatly interrupted; but if he cannot acquit himself of the charges brought against him by the Bostonians, it is no less expected that he will be made an example, to deter future governors from exercising acts of tyranny and oppression.*

*For the Political Register.*

*Observations on the Letters in the London Evening Post addressed to the D——of M——b, and the Bishop of L——n.*

**I**T is very remarkable, such is the depravity of the times, that scarce a week passes but some heavy accusation appears in print against persons of the first rank in this kingdom; from whose birth, education, fortune and character, the nation has a right to

expect the most shining examples of public and private virtue. And it is no less singular that of the great numbers who have been accused of high crimes, and misdemeanours in print, not one has been yet called to account in a judicial manner, though not one of them has acquitted himself, in the eye of the world, of the charges brought against him.

In the course of this month a scene has been opened which may possibly terminate on Tower Hill, unless the parties should abscond before Doctor Musgrave produces the vouchers of his facts. This had scarce engrossed our attention, when an affair of the highest importance to the freedom of the British constitution is laid before the public.

His grace the duke of M——h is accused by several writers of having bought the votes of the citizens of Oxford at the last general election by the payment of a debt contracted by the city some years ago, which had almost reduced it to a state of bankruptcy. And his grace's wishes are said to be completed in the right he possesses of bawling it over the city he has purchased. One of these writers who has stiled himself a friend to the people, has likewise attacked the b——p of L——n, and very homely declares, that he has vouchers in his hands, which he will produce to the house of Commons next session, proving that the said prelate, commanded the twelve preachers at Whitehall who are of the university of Oxford, to vote for the present sitting members at the last general election. The fact has been denied by an anonymous writer; and in reply, the friend of the people declares he is ready to make oath to the truth of it, and has left his real name with the printer, that the bishop may be enabled to prosecute him, if he has advanced a falsehood.

As these are accusations of a very high nature, cognisable only by parliament, it is our duty only to register them, and not to attempt to prejudice our readers in favour of either party, especially as they are likely to end in judicial proceedings. — But we cannot avoid remarking, that we live in an age abounding either with the most infamous libellers, or the foulest traitors. Heaven send that the *ax* or the *halter* may do the business of the guilty, and enlighten our understanding on these dark subjects.

#### For the POLITICAL REGISTER.

*Remarks on the Freedom of Speech, made use of by our Ancestors to their Kings.*

ON reading over some late parliamentary and other addresses to the CROWN, I could not help exclaiming with Manly in the Provoked Husband, "what a polite age do we live in!" very different from the unpolished ages of some of our great grand-fathers, who were too sincere and too loyal to flatter their kings to their destruction. It has been observed that adulation is the poison which the devil slyly insinuated into the human frame, just as it came fair and faultless from the hands of the great creator; nor could the tooth of the serpent have circulated

lated so subtle a venom through the veins, as his tongue did through the hearts of our first parents.—*Ye shall be as gods*, has been the language that has ever since entrapped the sons of Adam.

The adulation paid to a prince is the most dangerous species of this vice. He never has his passions *flattered*, without thinking, at the same time, that they ought to be *fed*: and vanity has been known to be so voracious, that it hath sucked the best blood, and drained the last penny from nations: this is the food on which *sovereign* vanity can alone subsist. The worst of the first twelve Roman emperors came to the imperial purple with humane, nay virtuous sentiments; but adulation turned them into monsters. It found out their passions; it flattered them; it strengthened them, till they rose into phrenzy, and preyed upon all the human race.

The parliament of England seem to have been exceedingly sensible of the danger there might be in flattering even the weaknesses of their prince: They knew, that the smallest foible he possessed was not confined to his own person; that it might be strengthened, if not timely curbed; that if it was once strengthened, it would seek to be gratified; and that it could not be gratified, but at the expence of the people. We therefore find upon the rolls of parliament, and in our oldest, honestest historians, very plain language used by the parliaments to their princes, and the latter receiving the bitterest rebukes for that *vanity* and *partiality*, not as *designed affronts*, but as *wholesome chastisements*.

Matthew Paris tells us, when Henry III. asked money to defray the expences of a foreign expedition, “ which his people thought did not at all concern England”, that his parliament told him, “ It was very imprudent in him to ask money for any such purposes, and thereby impoverishing his subjects at home, by his squandering it in idle expeditions; and that they flatly refused to his teeth, supplying him on any such account.” Upon thus remonstrating, “ That he had engaged his royal word to go abroad in person that year,—and that he must have a supply, *they ask him*, “ What has become of all the money he had already gulled them of, and how it comes to be lavished, without *this* kingdom being one shilling the better?”

But the freedom with which the people treated their kings in those days was not confined to remonstrances: One of the greatest and most victorious of our princes, Edward I. had an inordinate desire of making, in person, a campaign in Flanders, that he might support a confederacy he had entered into to reduce the power of France; and had demanded an extraordinary supply for that purpose. The people conceiving that the quarrel was very indifferent to England, strongly opposed his leaving the kingdom upon any such idle expedition: “ The people of England, *said they*, do not think it proper for you to go to Flanders, unless you can secure, out of that country, some equivalent, which may indemnify us for the expence,”

We

We have a like instance in the reign of that great and powerful king Henry II. This prince being strongly tempted to make an expedition abroad in person, became so fond of the proposal, that he laid it before his parliament, with a most earnest request that they would consent to it, "it being the sole and darling purpose of his heart." But his parliament thought that he had no business abroad, and "that it was much better for him to keep the money at home;" accordingly, the question was put and carried for an address to the king to keep within his own dominions, according to his duty. Edward III. likewise, received several mortifications of the same kind: and it appears from the whole tenor of our history, that the great care of our ancestors was to root from the breasts of their kings every principle of vain-glory, which, the more ridiculous it is, becomes the more expensive to the nation. Nor does vain-glory consist merely in the personal display of magnificence, or military exploits abroad. There is often as much parade and expense, in the most frivolous and puerile pursuits at home!—What then shall we say, to the language of the modern times but exclaim with the poet, *Tempora mutantur, et nos mutamur in illis.*

K. W.

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*To a quondam PAYMASTER, and a new returned EARL, a Perusal of the following Extract from an admired old Poem, is humbly recommended.*  
*—He whom the Cap fits best, may wear it.*

\* \* \*. Without a saint, a devil was within,  
 He fought all dangers, for he knew no sin,  
 A wheedling, fawning, parsimonious knave,  
 The prince's favour he resolv'd to have,  
 The only means by which he sought to rise,  
 He shuffled cards, and silyly clogg'd his dice,  
 A true state-juggler, could make things appear  
 Such as would please his prince's eye or ear,  
 Produc'd false lights, his monarch to mislead,  
 Which made him from his paths of int'rest tread;  
 He screen'd all villains from due course of laws,  
 And from his prince his truest subjects draws;  
 Till angry senates the vile monster took,  
 And from the root the upstart cedar shook,  
 Squawk'd the curs'd sponge had suck'd the nation's coin,  
 And made him cast up what he did purloin:  
 Then on a gibbet did the monster die,  
 A just example to posterity.  
 Let fav'rites beware how they abuse,  
 Their Prince's goodness, or the people's laws,  
 How they clandestine methods ever use,  
 To propagate a base unrighteous cause.  
 The prince's favour, like a horse untam'd,  
 Does often break the giddy rider's neck:  
 On him who for preferment's so much fam'd,  
 The people oft their bloody vengeance wreak.

Let these beware how they mislead their prince,  
 Or rob the treasure of a potent nation,  
 Or multiply enormous crimes, for hence  
 Come hanging oft, or noble decollation.

The L I O N and Subject B E A S T S.

A Political Fable, for 1769.

A L I O N, tamest of his kind,  
 (Some beasts have said both tame and blind)  
 Was crown'd of quadrupeds the King:  
 With full applause the throne he mounted,  
 The fire of all his subject sons accounted;  
 Whilst forests wide with acclamations ring.  
 Happy that monarch, who deserves such praise,  
 As justice joins with gratitude to raise!

Averse to war—the friend of peace—  
 He bade the sword of conquest cease;  
 And stopp'd exhausting streams of blood:  
 Some thought him right—more thought him wrong;  
 Debates grew high, and parties strong,  
 Pretending all the public good;  
 Would partizans contend for that alone,  
 Each must be deem'd a pillar of the throne!

Some years elaps'd, that babbler Fame  
 With censure clogg'd the Royal Name,  
 And said a fav'rite ruled the state!  
 A Tyger of imperious mold,  
 To ev'ry patriot-feeling cold,  
 In nothing but ambition great:  
 That feeling, baneful to a noble heart,  
 The very essence of tyrannic art.

A creature, own'd by some to be  
 A distant sprig of royalty,  
 Seiz'd gentle Leo by the ear.  
 First minister—without dispute  
 He watched the nod of Tyger B——;  
 And crawl'd within his given sphere:  
 For whomsoever B—— gave a draft on,  
 Was finely flea'd by Panther G——.

A Fox, of endless shifting tricks,  
 Whom honesty could never fix,  
 Sly, subtle, delegate of pow'r,  
 Had mighty trust of public wealth;  
 From which perloin'd by artful stealth,  
 His hoards received a golden shew'r.  
 The subject beasts loud murmur'd, but in vain,  
 Reynard retain'd, and revel'd in his gain.

The

The S—d—h Goat too play'd his part,  
 With varnish of deceitful art,  
 And seem'd to hate a sinner ;  
 Tho' guilty of a thousand rapes,  
 With ev'ry vice, in various shapes,  
 Dispos'd to share the d—l's dinner ;  
 Yet, with affected piety,  
 Call'd merriment flat blasphemy.

A Wolf, the foe of all his kind,  
 To all but selfish profit blind,  
 By wealth and family connection,  
 Still made of ev'ry change the most,  
 And ruled—or fix'd who ruled the roast ;  
 And virtue held in sad dejection.  
 Thus Lupus B—d—d keeps his ground,  
 With leading wealth and honours crown'd.

The Bull-dogs wounded deep and fore,  
 With injur'd Mastiffs, 'gan to roar ;  
 With whetted teeth their foes they plied ;  
 The selfish, hungry, venal crew,  
 Like cowards to their dens withdrew,  
 With shame and mortal crimson dyed.  
 When Leo strait to fight restored,  
 The banish'd blood-hounds trembled as he roar'd.

To Sir JOSEPH MAWBEY,

*Upon a Report that he intended to sling up his Commission as Justice of the Peace.*

ACCEPT the duties of an heart,  
 Disdaining flatt'ry to impart  
 To merit, truly great ;  
 While LIBERTY's fair cause you wed,  
 And dauntless with some few make head,  
 To save a falling state.

The seat of Justice never quit,  
 Tho' one might blush to see you sit  
 'Mongst such a motley crew :  
 But hold, I see your brother JOHN,  
 CROSBY and SWABEY too, you'll own,  
 Are honest, good, and true.

PONTON will tremble at your name,  
 Alive to fear, tho' dead to shame,  
 Shall cringe to gain your favour ;  
 HOTHAM and WALDO, new dubb'd Knights,  
 Tho' utter foes to Bill of Rights,  
 Shall shew their best BEHAVIOUR.

LEVY



LEVE no more shall dare to prate,  
 Nor G—— bloody magistrate  
 Against \* *Rotation* rail :  
 And when new writs of PARLIAMENT,  
 In *Southwark's* borough next are sent,  
 They'll turn out master *Thrale*.

O——, that dirty tool of state,  
 Shall not retain that shew of weight,  
 In this unbiass'd county ;  
 Oh ! what a grievous falling off !  
 To make himself of WHIGS the scoff,  
 And *starve* on royal bounty !

\* *A new method of acting, by which the trading justices are much hurt.*

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*The elegant and important Letters of Junius having given universal Satisfaction to the Public, it would be ungrateful to pass over unnoticed any Compliments that are paid to this admired Writer by his Countrymen ; to avoid this Imputation, the following Poem is with Pleasure presented to our Readers.*

HOW dar'st thou, Junius, in this dangerous time,  
 When truth is faction, honesty a crime,  
 Attempt with penetrating eye t'explore  
 Vice and corruption never known before ;  
 With decent zeal to plead thy country's cause,  
 Her violated rights and suffering laws ;  
 And not suppose some ministerial knife,  
 Or loaded pistol aim'd against thy life ?  
 —Fear not—Britannia shall avert thy fate,  
 And shield the patriot that preserves the state.

From th' hour that Churchill with his fathers slept,  
 Over his tomb fair Truth and Satire wept ;  
 They still had wept, obscur'd from mortal sight,  
 But Junius cheer'd, and brought them into light.  
 When Satire aims at rogues in stations high,  
 Truth points the shaft, and gives it pow'r to fly ;  
 The sounding bow the pension'd hirelings hear,  
 And, struck with conscious guilt, begin to fear ;  
 Around the arrows fly, spread fresh alarms,  
 And shake the fav'rite in the monarch's arms ;  
 Expose the knave, from public censure screen'd,  
 And, like Ithuriel's spear, betray the fiend.

Rejoic'd we see Demosthenes revive,  
 And his Philippics in thy writings live ;  
 See the wretch branded, who, enslav'd by gold,  
 Himself, and, baser still, his country sold :  
 While, as we read, our breasts with freedom glow,—  
 All tyrants meet in ev'ry heart a foe ;  
 And Britons learn their duty from thy pen,—  
 To keep their liberty, or die like men.

Proceed ; in Virtue's cause be greatly brave,  
 Lash the bold villain, and the venal slave ;  
 Attack Corruption at the shrine of state,  
 And drag the harlot from her last retreat ;  
 Save from th'uplifted rod of power this land,  
 —A grateful nation asks it at thy hand !  
 So shall thy name, in every age to come,  
 Be honour'd more than his \* of ancient Rome.

L U C U L L U S.

\* *Junius Brutus.*

## The F O X. A F A B L E.

S O M E centuries before my time,  
 I'm told that beasts, like man sublime  
 Could read, and conversation keep,  
 And from each other knowledge reap ;  
 Form'd plans of government, and more,  
 All thought their property secure :  
 Truth in those days was rarely slighted,  
 Or justice from her seat affrighted.

In those same days a fox of birth,  
 Tho' never fam'd for merit's worth,  
 In office high, and screen'd from hurt,  
 A favourite of the K——g at court,  
 Thought he could plunder, by his station,  
 Each individual of the nation ;  
 And by his cunning, undermine  
 K——g, L——ds, and C——ns, and in fine,  
 Brave all attempts his days to four,  
 Depending solely on his power.  
 Some beasts more subtle than the rest,  
 Began to feel they were oppress'd ;  
 Taxes run high, too great to bear,  
 And commerce lost, for want of care ;  
 Resolv'd they would committees form,  
 And try to shun the threat'ning storm ;  
 Their resolutions soon made known,  
 The Fox stulk'd off behind the thr——ne ;  
 But all his art could not avail  
 The villain found his courage fail ;  
 And fearful he should lose his head,  
 His friends reported he was dead.

Let wretches hence this inference draw,  
 No traitor's safe, tho' screen'd by law.

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T H E

# POLITICAL REGISTER

For N O V E M B E R, 1766.

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N U M B E R   X X X I I .

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For the POLITICAL REGISTER.

*An Essay on Liberty and Independency.*

**L**IBERTY is the supreme object of all men's desires, it is absolutely interwoven with our natures, and our first conceptions of it are coeval with the principles of life itself. Our earliest efforts are exerted to procure natural liberty: and when we arrive at years of discretion, if we have any sense of virtue and wisdom, we stand forth and exhibit our claim to political liberty, in the civil society of which we are members; yet there is no one subject of so much importance to mankind, and so generally the topic of conversation, on which mankind are so much divided in opinion, as on the means of obtaining this inestimable blessing, and of preserving it when they have got it in possession.

Human invention has been upon the rack from the earliest ages of time, to ascertain and fix the boundaries of power, and to find out the means to banish slavery from the several societies into which men have entered by voluntary consent, for their common preservation and benefit; but such is the frailty and fatality of human judgment, that though all institutions of government are planned on the principles of freedom and independency, and their first laws are calculated

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to

to preserve their natural liberty ; and though all nations on earth pretend to some certain kind of freedom—yet there is not one under the sun which can boast the enjoyment of this blessing in its real perfection : on the contrary, all are slaves, in some measure, to the very government they themselves have set up as a barrier against the inroads of that foul fiend arbitrary power.

Three parts of the habitable globe are born slaves, and never heard the joyful sound of liberty, they put on their chains with their being, and are only happy that they have no notion of freedom, and are unacquainted with the slightest principles of independency. Most of the kingdoms of Europe have indeed heard of liberty, and may remember a tale that has been told them of the boasted freedom of their forefathers, but as for themselves they are as abject slaves as their Asiatic neighbours, and are obliged to wear the yoke of bondage, and submit to all the horrors of despotic sway, with the additional curse of having some faint ideas, a kind of speculative knowledge of the blessings of liberty, and consequently a keener sense of the dreadful weight of tyrannic oppression.

There are other states again in this part of the world, which enjoy the shadow of liberty without the substance. The name and outward forms of godlike freedom are still preserved as sacred monuments in their streets : but by the administration of their government, abject slavery pervades their dwellings, tyranny and lawless power, masked under the robes of independency, rule their senates, and spread their baneful infection over all their policy : yet such is the influence, and such the effects of liberty upon the human mind, that even this mock, this visionary freedom, this fleeting shadow is embraced with transports, and mistaken for the real substance ; they hug themselves as if possessed of this inestimable boon, and are apt to pity the rest of mankind because they are not possessed of the same portion of it as themselves :—fatal delusion !—But there is one nation in Europe where liberty has firmly fixed her standard, and rooted it in the very earth, never to be torn up by the hand of tyrannic or despotic violence, but subject every hour to be undermined, and its foundation rotted by the misconduct of the people, for whose benefit it was erected.—Where the rulers have every thing in their power but to hurt the people,—where the subject may enjoy the real sweets of public freedom, not the outward marks and pompous appearance alone, but the essence itself, the real substantial blessing of sacred liberty. Great Britain is that happy kingdom, and her people, in preference

to the subjects of all other states, can most truly say—we are free, we have a property we can call our own; we can freely dispose of it agreeable to our inclinations without controul, it is not liable to be seized by rude violence; our persons are equally secure, and we reap all the advantages of regular government, without the oppressions of arbitrary sway: but this can only be—while they take care not to be tools to the very government they themselves have set up.

It would be needless to advance any arguments to prove an assertion so universally allowed as that of the freedom inherent in British subjects. It will be of much more importance to point out the popular errors and misconduct which are likely to sap the foundations of this inestimable blessing, and to discover the means of preserving what it has been the work of ages to put us in possession of, and the enjoyment of which in so imminent a degree, has been the admiration of all Europe. In the pursuit of those grand objects I shall appear to be a very unpopular writer, for I shall endeavour to prove that all our grievances, and our apprehensions of evils to come, *originata* with the people, and not with this, or any other preceding administration: but at the same time, I hope fully to make it appear, that the crimes of the present m—y are not thereby lessened, but on the contrary highly aggravated.

That we may be the better enabled to probe our national wounds to the bottom, let us lay down a clear definition of national freedom, or liberty, and of the first principles of all government. According to the best political writers, that people alone can be called free, who live under a government, by the means and protection of which they enjoy all those privileges and advantages which were originally intended to be secured to them by the institution of civil societies. Now government was originally intended to support the interest of the whole community against the encroachments of neighbouring societies, to protect individuals from the oppression of each other, and to enforce every member of society to contribute towards the support of the government, from which they derived these advantages. In order to carry on the business of the community, and that each member might know his duty, and be tied down to the observance of it, they enacted laws by common consent, which were to be the criterion of mens actions, and to fix the boundaries of property, as well as the principles of right and wrong: these are the first principles of all government, whether carried on under the form of absolute monarchy, Aristocracy, or Democracy; and the due limitation and restriction of natural liberty,

liberty, by laws enacted, with the common consent of any society of men, is what constitutes the public or political liberty of society. And as peace and good order in civil society depends on the salutary restrictions of natural liberty : for the anarchy of natural liberty wholly unrestrained would terminate in slavery, so that must necessarily be the best concerted and the best regulated form of government, which at once preserves mankind from the oppression consequent to an absolute submission to the will of another ; and from the confusion that would result from an unlimited indulgence of their own. But as there never was, nor perhaps ever will be any form of government where this medium was so exactly hit as to be liable to no objection, so it is impossible to judge of any human institution by any surer rule than comparison. The field for examination is open and very extensive, however, we need only cast a cursory eye over the present political situation of Europe to be convinced that the happy medium just described is not to be found under any of the three general forms of government that prevail in its different countries. We are all agreed, that it is not to be found in absolute monarchies, the very people that live under them will confess it, when they arrive in a land of freedom where they dare speak their sentiments : we must search for it then among the popular governments of Europe : but here, recent experience convinces us it is not to be met with. The present state of the United Provinces, of Poland, Sweden, and the republic of Italy, evidently demonstrates that it is the shadow of public freedom, and not the substance that they possess. In the first of these states, the vulgar, the bulk of the people, have no share in the government, not so much as in the choice of the magistrates, at the same time they are taxed with all the expences of government. In Poland liberty is the general cry, but no man enjoys it, that unhappy people are constitutional slaves to their lords, and the whole kingdom is dependant on the courtesy of the potent empire of Russia. In Sweden both the senate and the dyet, the latter of which was instituted to preserve the independency of the people, are influenced by foreign gold, and the very sovereign is directed in the choice of his ministers by a foreign faction. Of the republics of Italy, Venice is the most considerable, and prides itself on being the oldest republic on earth, yet how little freedom is to be found among the subjects of that state ? the nobility oppress the common people, and they in their turn are slaves to the senate, and to the council of ten, by whom they are liable to be imprisoned, and even put to the torture for slight offences against the state, on the evidence

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of a common spy or state informer. On the whole it appears, that a constitution founded upon a popular plan is not always productive of freedom to the subject. But we say that the constitution of Great Britain is such an happy digest and mixture of the best part of the Monarchical, Aristocratical, and Democratical forms of government, that it absolutely draws the line between the power of government, and the privileges of the people, and properly establishes the authority of the governors, while it preserves the freedom of the governed inviolate.

This is the doctrine universally maintained, and as generally credited: yet a candid review of the history of England will lead us to a discovery that this is a popular error. Our constitution has its share of the frailty and fatality of human judgment, and if we attend to the great events of history, we shall find that we must seek for some other cause, to which must be ascribed the fairest days of freedom, and not impute it to the mechanism of our constitution, even in the popular part of its system. Trusting too much to the excellency of our constitution has been the cause of that national indolence and inattention, which at different periods has plunged us into the horrors of tyranny. In short, a more fatal error cannot be indulged than the notion that the constitution will weather every storm; this notion has lulled the conscience of many a lukewarm patriot, and led him by the hand to the levee of a prime minister.—What imports my opposition, a title and a fortune suit my desires, and my necessities;—the constitution will last my time, and it is not the voice of a few individuals, given to a corrupt administration, that can subvert it: such may have been the reasoning of many ambitious, and indigent men. And their example furnishes a proof of the defectiveness of the constitution, in their having it in their power thus to hurt the cause of their country, and abandon the standard of liberty.

The bulwark of the British constitution, and of the rights and privileges of the people, is said to be the lower house of parliament; yet past times, as well as the present, afford melancholy proofs that the approaches that have been made towards despotic power, have begun in that house, that great statesmen, who observed “that England could never be enslaved but by its parliaments,” has by that very remark strengthened the assertion we mean to support:—that it is a popular error to suppose our freedom depends on the form of our constitution. The three estates of the realm have subsisted nearly in the same form for several centuries, but the liberties of the people have, notwithstanding, been frequently violated,  
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and sometimes totally overturned. Nor do I think we have any right to refer back to the past times, except to some very few periods, or to boast of the liberty of old England, in preference to modern times. The storm that has lately arisen to disturb the tranquility of the nation, will indeed bear a comparison with past ages, when the weakness of the constitution was discovered, and the crown availed itself of the event to rule the people at pleasure, under the empty shadow of its ancient constitution. But reverse the picture, and I know scarce any period of the English history, which will stand the test of the reign of George the second, for the full enjoyment of public freedom. Liberty flourished during this æra in its full vigour, and the discerning monarch saw that the friends of his illustrious house, and of the rights of his people, were one and the same.

Let us just look back on the manner in which this kingdom has been governed from the conquest to this day, let us sum up the annals of each reign, and then let any candid man declare, if ever the rights, privileges and immunities of the people were so inviolably preserved as during the late reign—now the fashionable subject of low detraction. We shall quickly see that, before the restoration, there was no such thing as public liberty.

In the time of William the Conqueror, his eagerness to secure and fix his title, and the depressed situation of the people, who had been weakened with intestine disputes, paved the way to tyranny; so that his subjects had their purses drained, their numbers diminished, and their spirits broken: foreign families were called in to lord it over the natives, and whatever was imposed or required, the people were unable to dispute, or afraid to refuse.

From William the first to Henry the Second, the crown was worn by three successive kings, who had no other pretence to it, than the having a mind to wear it, and the finding means to obtain it: during these reigns force only prevailed, and the people, as well as the lawful prince, were excluded from their rights. During the reign of Henry the Second, the power of the crown was restrained, but the people were not more free. Ecclesiastical disputes weakened his authority, without enlarging the privileges of his subjects, and while he bewailed the loss of the one, the people murmured from the privation of the other. To him succeeded that pious Don Quixote Richard the First, who exhausted the treasure of his kingdom, to raise his name on earth, and spilt his subjects blood to purchase glory in heaven.

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In the next reign, a struggle was made for liberty, but not on the part of the people: the contention lay between king John, who had a mind to be sole tyrant, and his barons, who had long tyrannised in their particular districts over their inferiors.

During the long reign of Henry the Third, the people seemed to have gained some ground by choosing representatives, who were instituted with a pretence of maintaining their rights, yet it turned out only a seeming acquisition, and no real advantage at that time was derived from it, the real motive of the institution being to favour the ambitious views of Leicester and his party. Various therefore were the turns in this durable period, some in favour of an unjust, oppressive king, others in favour of a turbulent nobility, or of one able, ambitious man claiming the title of patriot; but as for the poor unfortunate people, whatever spoke of the wheel was uppermost, their liberties, like the earth, were always beneath its revolutions, and crushed by its weight.

To Henry the Third succeeded Edward the First, a good man, and a great king; under him the nation grew more considerable: the boundaries of the English dominions were stretched, but the limits of English freedom were not enlarged; the gates of liberty were as closely shut as ever, and the only comfort of the people in this reign, was, that the power of the crown, which was unbounded, was not abused. We may pass over the reign of his weak and unfortunate son Edward the Second.

Edward the Third was a great and able man, he raised the reputation of his country both in the council and the field, but both himself and his people were absorbed in the plan of conquest, so that the latter thought little about domestic freedom, and it is to be observed as an useful lesson to check our national ambition, which, towards the close of the last war, was got to an impolitic height; that the dangerous summit of grandeur which England acquired under this prince, and afterwards under Henry the Fifth, if it had gone on a little longer, would have ended in its ruin. For if England had secured and kept the conquest of France, the seat of empire would have been fixed there, and England would have become a province to France, as, in two possessions under one prince, we always find the less becomes a province to the greater.

In the beginning of Richard the Second's *simple* reign, one tumultuous mob, under a rash, ignorant leader, made a shew of struggling for liberty; but all the subsequent part of his reign was confusion and oppression, which brought on his deposition

deposition, and the establishment of Henry the Fourth, a successful usurper, and an accomplished tyrant. The people were more happy under the mild administration of his celebrated son Henry the Fifth; the success of his arms prevented their feeling the weight of disbursements which they were obliged to make for his expeditions, and his oeconomy made them generous in their donations, but they did not acquire in return, any new privileges.

From this period to the accession of Henry the Seventh, the fatal disputes subsisted between the houses of York and Lancaster, in which the people were so deeply engaged, that they fought as eagerly for a master, as they could have done for public liberty, and never aimed at striking off one chain, but in order to put on another. Henry the Seventh, from an avaricious disposition, one of the worst of vices in a prince, was guilty of the hardest oppressions, and of the meanest cruelties to his people; so that of his reign, of which men had formed high expectations, from his gentle behaviour while earl of Richmond, became as dangerous and uneasy to himself, as it was odious and oppressive to his subjects.

Henry the Eighth came to the crown with an uncontested title, uniting the claims of the two houses of York and Lancaster, having nothing therefore to fear from the party divisions which had distracted the kingdom during the contest between those houses, he seemed to think, at setting out, that no-body remained to call him to account, and therefore he determined to make his subjects do as he pleased: but it is remarkable, that this ambitious man, whose fierce disposition was shewn upon many occasions, should choose to entrap them in the forms of their own constitution, when he had it in his power to have made as great and as sudden alterations in the civil, as in the religious establishment of his country: so great was the people's dread of him, and at the same time so high their opinion of his abilities. Yet his reign furnishes us with the first and fairest opportunity of combating the vulgar error concerning the excellency of our constitution. He kept the two houses of parliament in as much subjection as he did his guards, they were ready to vote and unvote at his pleasure, servile parliaments were made the proxies of his tyranny, they enacted and abrogated laws just as his fluctuating disposition and lawless will dictated. Under these circumstances, though the frame of the constitution was kept entire, and the people chose their own representatives, yet could they be said to be free? No, they were slaves to their own forms of freedom; and the king chained them down by acts of parliament, which gave a popular air to all his arbitrary decrees;

decrees; not that he thought these acts necessary; he could have done without them: but he meant to gild the pill of slavery, by giving it the outside ornament of freedom, and gulled the people with these shadows of parliaments. We shall have occasion to compare this conduct of Henry the Eighth hereafter, with that of our Henry Fitzroy.

The reigns of Edward the Sixth and of Queen Mary did not afford the least shadow of liberty. We are next to review an æra of uncommon glory for England, when she became equally famed for the success of her arms, the wisdom of her negotiations in foreign courts, and the importance of her domestic regulations and internal polity, by means of all which, commerce and the arts were established and flourished, and the nation became formidable in the eyes of the princes of Europe, under the administration of a woman, blessed with the greatest talents for government that ever were possessed by any one person. Yet this glorious period is no less distinguishable for exhibiting a fresh instance of the defectiveness of the constitution, which by an able prince and his ministers, can be sported with at pleasure. The public conduct of the immortal Elizabeth can never be sufficiently extolled. Every step she took tended to the public welfare, the honour of the nation, and the interest of the collective body of the people; but was taken as absolutely without their consent, as the most prejudicial measures of any of her arbitrary predecessors, or successors. She often sent for the speaker of the house of commons, and told him not only what she would, or would not suffer to be done, but also what she would or would not allow to be said: told him she wanted money, and would have it, and that *yea* or *no* only, should be uttered, when it was proposed to be given: that the commons understood not state affairs, that state affairs were not their business, and that it behoved them only to meddle with what was within their province. She, by her chancellor, informed the speaker, and by the speaker the house of commons, *that they had no right to judge of returns in elections*, but that her lord chancellor should be the sole judge, and determine in those cases. She imprisoned members of parliament merely by her own authority; forbid some bills to be read in the house, others to be debated; and refused the royal assent twice, to above thirty bills each time, that had passed both houses. Never were the reins of prerogative held with a stricter hand, and though the people were driven into measures they ought and probably would have chosen for themselves, yet still they were compelled, and the same power that forced them into the pursuit of foreign glory and do-

netic prosperity, in the hands of a weak or wicked prince, might have plunged them into national contempt abroad, and ruin at home. The same method of government pursued in the two following reigns, and its effects under a different situation of affairs, verify this assertion. All therefore that can be said in favour of Elizabeth, with respect to arbitrary sway, is, that she, who allowed her subjects no liberty, understood their interest so well, and pursued it so steadily, that under her they possessed all the benefits of liberty, except that of being enabled to make the blessings they enjoyed, the effect of their own election.

This useful lesson, however may be drawn from her successful conduct, "that when British princes have a mind to stretch the prerogative beyond the established laws and customs with impunity, it must be for some great and glorious end, and which has the people's happiness ultimately in view, and they must begin as Elizabeth did, by gaining the affections of their subjects to a degree of enthusiastic zeal and personal attachment."

The conduct of James and of Charles the First, shews how impolitic it is to endeavour to tread in the steps of a renowned predecessor, without equal abilities, and a parity of circumstances: the lawless, oppressive administration of Charles, produced a glorious struggle for freedom and independency, yet such were the deliberate pauses left for reflection at sundry intervals, during the civil contest between the oppressor and the oppressed, that if the monarch had not been the most obstinate man alive, he might have preserved his crown, and ended his days in peace. As to the people, they unhappily mistook the temper and genius of their leader, who had all the qualifications requisite for the supreme head of a warlike and commercial people, but neither humility nor moderation, to keep him within the bounds prescribed to the magistracy of a well ordered republic. Thus their deliverer became their scourge, and the very patriots who had fought for freedom, and purchased it at the expence of the oppressor's life, became most intolerable tyrants over the people, and doubled the weight of every evil they pretended to remedy. Such is the frailty of human nature, that the possession of power often turns the brain; had not this been the case with Cromwell, his name might have stood on record to this hour as the undoubted saviour of his country: for plans of government were made out for him, and laid before him, by the most moderate and sensible men of his party, which, if he had adopted, would, in all probability, have fixed the glory, wealth and happiness of this kingdom on the most permanent footing.

footing. The excesses committed during the long parliament, and under the administration of the Protector, brought public affairs into such confusion, that the only apparent remedy which presented itself, was the restoration of the son of that tyrant, whom these pretended patriots had deposed.

At the restoration, so great was the general outcry against the mismanagement of the imperfect commonwealth, that the people embraced monarchy, to which the country had been accustomed from the earliest account of time, with open arms; and never gave themselves time to consider, that if they did not prescribe proper limitations to the power of the crown, all the grievances complained of in his father's reign might be revived, as the source of them, arbitrary power, would still remain. Accordingly we find, that the crown would have been rendered absolute, even by law; but fortunately there were those about him, who studied the histories of those unfortunate monarchs who had been ruined by grasping at arbitrary power, and applying them to his situation and circumstances, had the happiness to succeed in advising him to content himself with a limited authority, which he might make permanent and secure, and not to render his crown and life precarious, by trying to extend the prerogative beyond its customary bounds. While he followed this wholesome counsel, the dawn of liberty appeared, and some wise and beneficial laws were made in favour of public freedom and independency. But afterwards other measures were pursued: this weak, voluptuous prince listened to the advice of a blind bigot, a nursing of the jesuits, and not only the liberty but the religion of the people was attacked, and both their civil and religious rights invaded.

The last weak tyrant of this accursed race, after repeated struggles on the part of the people to set aside his succession, ascended the throne, not without suspicion of having poisoned his predecessor. From this moment the administration of affairs was openly in the hands of the Jesuits, though friar James held the sceptre; and they shewed their superior influence by setting about a change of religion, though it was the most dangerous step they could have taken for his interest, and waved the grand point aimed at by his secular friends, which was to settle all the contested points of prerogative clearly in his favour, before any attempts were made at innovations in the ecclesiastical part of the constitution. But, by letting the tools of Rome take the lead, fortunately for this country, he ruined himself. The mask being taken off too soon, the people saw, what they had long dreaded, popery and slavery breaking in upon them in a torrent. Then it was

that the two estates of the realm, by one patriotic measure, which ought to be considered as a precedent, as long as this is a nation, declared the compact between them and the prince null and void, which they might have done legally and constitutionally, if the cowardly Stuart had not absconded, but had been present in person—"for when a king of Great Britain violates his coronation oath, the compact between him and the other estates of the realm, or the community, which is the same thing, while the people are legally represented, is dissolved, and the crown, in all such cases, should (according to antient custom, not hereditary right) be placed on the head of his heir apparent."

The glorious revolution, accomplished on the abdication of James the Second, may be styled the birth of British freedom and independency. For notwithstanding there was a *magna charta*, a charter of liberties, so far back as the time of king John, yet the bounds of liberty and prerogative were so indistinctly marked out, and so indeterminately defined, that the terms *liberty* and *prerogative* were made use of by prince and people, just as opportunity favoured the ambitious views of the one, or the licentious disposition of the other. No-body knew the just degrees of either; tyranny often wore the plausible title of prerogative, and sedition and rebellion as often assumed the specious form of liberty; while excesses on both sides were committed, as occasions offered, from the temper and circumstances of the times, to favour either. On the one hand, the prince called every thing his prerogative, that his ambition led him to aspire to, every thing that the people, through their weakness, were obliged to submit to, or through their servile venality, were tempted to allow. On the other, whatever encroachments were made by the people on the prerogative, went under the denomination of maintaining their liberties; every point they gained from the crown, stimulated by their own spirit and vigour, or encouraged to demand it by the indolence and supineness of their prince, they termed a revival of former rights and antient privileges. And thus both king and people, from their jealousy of each other, were continually guilty of some injustice themselves, to avoid the supposed commission of it by their opponents. But the *bill of rights*, at the revolution, ascertained all these disputable points of *prerogative* and *liberty*. And it is now the wilful fault of the prince if he extends his prerogative, and the people are traitors to their country, to themselves, and to posterity, if they suffer their liberty and independency to be invaded. As to the prerogative, the power of the crown is sufficient to guard it from all incroachments of the people.

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Let the prince and his ministers take care of that point; while we treat as the worst of enemies, both to their king and country, those who would argue the nation out of their notions of freedom, or discourage any measure that tends to keep alive that glorious flame, and to make us the happiest people on earth.

Having shewn from the history of past times that the form of our constitution so much boasted of, notwithstanding the strength it acquired from the great charter of liberties, and the violent revolution which took place on the mal-administration of Charles the *first* could not secure the liberty and independency of the people. It is necessary to remark that though they were secured to us by *the bill of rights*, yet they have not been sacredly maintained since that period. But as large strides have been made towards despotic power since, as before this grand æra. The four last years of the reign of queen Anne furnish one melancholy proof of this assertion, and some late proceedings in our time confirm it; it is therefore very natural to enquire where the fault lies at present, since the *bill of rights*, the acknowledged bond of security for the liberties of the people, has received new vigour from the act of settlement on the accession of the illustrious house of Hanover. My answer will always be—"in the constitution,—in the popular part of the constitution."—And the only hopes of salvation for this country depend either on an immediate amendment of that part,—or in a constant and vigorous exertion of the powers vested in the subjects by *the bill of rights*. And as the amendment cannot take place but by the operation of the *bill of rights*, an association of a respectable body of the people for that purpose is truly laudable, and the stile and title they have taken of *Supporters of the Bill of Rights*, will do them more honour at home and abroad; in the opinion of all the friends of the rights of mankind, than all the pageant dignities of a corrupt court.

The defect in our constitution is, that we are liable to be made the slaves of dependent parliaments.—That slavery to dependent parliaments is no novelty we have already shewn from history;—let us then my countrymen, be very careful not to treat it as a novelty, the bad effects of which remain to be discovered; but as an old sore broke out afresh, which shews the inveteracy of the disease, and will certainly prove mortal, if a caustic or amputation is not administered without loss of time. *The bill of rights* points out the most lenient remedy, and the *Supporters* of it have steadily pursued it. Sensible that parliaments might be corrupted and become de-

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pendent, and aware of the difficulty of making any amendment in the constitution to prevent it, while the very parliaments complained of might be sitting perhaps at the very time that their conduct was arraigned—the right of petitioning the throne was secured to us as a proper remedy; and if at any time a parliament has consented to ratify a ministerial violation of the right of free election of the members of their own body, can there be a stronger proof that the people are slaves to a dependent parliament, or of the importance of that prayer to the king, which ought in all such cases to be re-echoed through the kingdom.—“ Dissolve the parliament, relieve, we beseech you, your loyal subjects from an imperfection in their constitution, which subjects them to be slaves to their corrupt representatives:—and this done, we will prefer another prayer.—That you will make yourself a patriotic king, by consenting to such an alteration as shall prevent this evil for the future, and even by recommending it: your people will then take care that though your minister has not one placeman in the house of commons, your prerogative shall not be one jot diminished;—it is the ministerial influence of the crown they want to curb, not the regal authority, and they never will, my lord the king, be at peace till you have answered their petitions, and removed the grievances brought upon them by your ministers, backed and supported by a dependent parliament. Dissolve them, and the Almighty shall bless your going out and your coming in, while the joyful acclamations of your people shall convey to your royal breast such sensations, as are never felt but by those humane princes, who study to gain the affections of the people.”

But remember, O my countrymen, that the evil itself all this while originates with you, if you will choose representatives, who by the very mode of canvassing, by the extraordinary expences at their elections, and by their avowed connections, plainly foretel you that they will be dependent, it will be impossible to weary the king with petitions to dissolve parliament after parliament; unless, therefore, you are strenuously bent yourselves, on applying an effectual remedy to your grievances, for heaven's sake do not surround the throne with petitions, for England must, and will be ruined by the popular part of her constitution, “ the representatives of her people.”

Triennial, annual, or even half-yearly parliaments will not strike at the root of the evil, the duration of the dependence is of little moment; we have seen that one session can do as much mischief as seven; the candidate need only feign and bribe in proportion to the time he is elected for, and the



the minister may proportion his *douceur*, but business will go on in the same channel. A new qualification oath, by which the candidate shall swear that he will not accept any sum of money, or any title, or office of trust, or money from the crown, during the parliament for which he is chosen, is one means of remedying the national grievance of a dependent parliament. If after this, men will be so corrupt as to perjure themselves in the broad face of day, I have but one remedy more to prescribe, and that failing I must give my country over, for the mortal blow of abject slavery must then prevail.

It is observable that security is required for the due execution of several magisterial offices in this kingdom, and I know no reason why he who is entrusted with the most important charge in the state, on the part of the people, should not give security equal to the danger there is of his betraying the trust reposed in him. If a place of one thousand pounds per annum is a bait for a knight of the shire, let the people demand a bond to be deposited in the county court for ten thousand pounds, which is ten years purchase: and of every representative for a borough five thousand, which is about equal to the value of the post of commissioner of the customs, excise, &c. you will then have done all you can to secure the incorruptibility of your representatives, and nothing will remain but to give your votes to the known friends of liberty, and of the present royal family; carefully avoiding those whose families were engaged in actual rebellion against his royal house, or who were known to wish well to that detestable enterprize. Thus I have pointed out the road to liberty and independency: and I must conclude by assuring you, that a powerful combination of foreign enemies are watching all your motions, and ready to avail themselves of the most favourable crisis for them,—that, in which, you are involved in domestic broils; it is time therefore to be honest, to detest all bribery, and not to give any of your future representatives the opportunity of declaring that “as he bought you he shall make no scruple to sell you.”

*A Friend to the Supporters of the Bill of Rights.*

T. M.

*To the Printer of the POLITICAL REGISTER.*

SIR,

By giving a place in your useful and entertaining repository of political disquisitions, to the following Directions to a Minister, you will oblige a constant reader, and occasional correspondent; the public may perhaps be of opinion, they are but too well followed already; but let it

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be remembered, that there is a rising generation, whom; it is natural to imagine, we would wish to instruct by the lessons we have ourselves put in practice.

X.

*Directions to a Minister.*

THE court-road is so slippery, and so full of turnings and windings, that it is no easy matter to trace out a map of it, however, if the following instructions are duly observed, I believe we may venture to insure your travelling it with safety, and getting well to your journey's end.

In the first place you are to remember that *self* is the great and only object you are to have in view: you ought, notwithstanding, to talk loudly of zeal for your royal master, and at every turn to employ this phrase emphatically,—*it is for his majesty's service*, especially when you mean to push a measure directly opposite to the true interest and welfare of your country. *The king's service* has such a loyal sound, that you may *ensconce* almost any job under its authority, and though it is a little hackneyed, it is not the only matter of form, which must be kept up for the benefit of persons in office.

There runs so strict a parallel between a thorough-paced courtier and a knight of the rainbow, that the same instructions may serve both in a great many points, only indeed there is so much lying and cringing in the courtier, that a footman hardly ever reaches politeness enough to shine in such noble drudgery, unless he has the good fortune to be put to school in the service of a modern man of quality.

When you have made a florid speech in the house of commons, take care that it may be faithfully reported to the king, not so much that you expect any gratification or favour for it, but it is a good hint how well you could speak on the other side, if you should happen to be discontented; for let me tell you, no maxim is stronger in practice than that of doing more for them that are feared, than for those that are beloved or esteemed. Study the weak side of your prince, and when you are well acquainted with that, you are sure to govern him; and when you have succeeded so well as to stand high in his favour, should it be your misfortune at the same time to be so obnoxious to the whole nation, that even his favour cannot protect you, take care to provide for a comfortable retreat; make a bold stroke at grants, titles, pensions, and reversions, if you have any children, no matter whether legitimate or bastards, and then you may quit the political stage triumphantly. If you have conceived

ceived jealousy or hatred against any person, do not make use of that worn-out expedient of loading with flattery and caresses the man you intend to ruin : this duplicity is now so well known, that the first appearance of extraordinary kindness serves only to alarm; and put the enemy on his guard. It will be more prudent and refined to declare openly your ill intentions towards him, when no mortal will think you speak as you mean, and the object himself will be misled by your openness, and not think you capable of hurting him. In this and some other cases it may be adviseable to speak the truth, when you are sure it will be taken for a falsehood.

Should you have a mind to disgrace a man at court, you must throw out shrewd hints, that he is remarkable for strict honour and probity, and is above corruption, and as few princes care for employing such characters, and fewer yet believe that such men exist, I would advise you to take great care to have proper evidence to support this heavy charge; it is highly politic to plant a guard of your own creatures round the prince, that they may bar the access of all persons but such as you are sure of, or such as from their insignificance can give you no umbrage, nor excite your jealousy. It is indeed adviseable to have a number of these *things* going tame about the drawing-room.

When any one applies to you for a place, I hold it intirely needless for you to enquire into his character, capacity, or other pretensions to it, except in the following particulars, which it is worth your while to ascertain. *First*, Whether he has any parliamentary interest; *Secondly*, Whether he bids a good price; and *Thirdly*, Whether he has a pretty wife, or other female relation to dispose of. Being satisfied as to these particulars, your next care must be to cheat him if you can, by accepting a valuable present for a promise of the place, which promise you never mean to perform, and by this means you will retain the employment to go to market with it, a second time. It is highly useful to keep a good table, and therefore be sure to hire a good French cook; and if you should abstract two or three hours in a morning from the affairs of Europe, to give weighty instructions to this great officer of your household, it will be well spent: for a great part of your reputation and interest will depend on your entertaining better than any body. Many an inflexible, surly opponent, who would have withstood the proffer of a sum of money, has not been proof against *venison*, and *turtle* well diluted with Burgundy, Champagne, and Tockay. It often happens that a man sits down to table a staunch patriot, and staggers away a court convert, when his senses are

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sufficiently debauched. I need not advise you against having your table disgraced, by placing at it any man of sense, merit, or wit; your conversation at table cannot be too loose, too trivial, or too jumbled, to promote jollity and good humour among your guests—politics, whores, operas, religion, double entendres, horses, justices of the peace, kings, &c. will make an admirable medley, that every body may be entertained with some subject, adapted to their taste or capacity.

It will not be amiss to cultivate a jocund familiarity with your fat, monied citizens, who are always railing at you, yet proud of the least notice you take of them. To these grubs weigh out your affability and good graces, according to their property and influence in the court of aldermen or common council, or according to the use you intend to make of them.

You are constantly to keep in sight, that as the British nation stands at present, property alone gives rank, therefore have a special regard to what a man is worth; it being the modern phrase for rating the value of men by their fortunes, and not by the unessential qualification of personal merit, to which the idea of worth was in antient times appropriated.

In your choice of subjects for the distribution of titles and ribbons, I particularly recommend to your choice the flaming discontented patriot, if you think he will bite at them, as it is ten to one but he does: this will save you something more solid: but still, if a bawdy-house acquaintance, an idle, profligate wretch, should come in competition, he ought clearly to have the preference.

When you have adopted and began to carry into execution some foolish, impolitic measure, be sure never to hearken to better advice, or recede a step, but plunge in further at all events; for there is in retracting, an implicit confession of having been in the wrong, very much beneath that sort of *greatness*, which is above information or amendment.

The contempt of reputation is an excellent ingredient in a minister, because it implies a contempt of virtue, which you should take especial care to encourage by your example. Whenever the public good comes in competition with your own interest, hesitate not a moment about the sacrifice. Remember, *He is a fool that forgets himself*. You may and ought now and then, to keep your word, when it will be more serviceable to you than breaking it, and even sometimes for the joke's sake, to make people stare. Never consider any measure by its justice or expediency, but only by partial favour, and party connections.

If a great man recommends his postilion to succeed a man of birth and distinguished abilities in any important office of trust

trust and emolument, or his chaplain, who has married his cast-off mistress, to fill up a vacant bishopric, I do not see how you can avoid a compliance. Interest alone ought to fill all the departments in church and state. At your levée, play the gracious prince, deal about properly your smiles of protection, and be sure to take proper notice of the dukes and lords, that are low enough to figure in it : but reserve a frozen visage for a man of merit in a plain coat, without a title or a seat in parliament, if he should have the impudence to step forward and challenge any notice from you. Study to be a good comedian, and make your face a mask for all occasions.

An intrepid assurance is so essential a quality to all statesmen, that I need not dwell on the necessity of your divesting yourself thoroughly of that sneaking, vulgar virtue, Modesty. Remember nothing is so sure of succeeding at court as impudence, and who has impudence enough to find fault with what succeeds?

In your ministerial capacity, you are to consider yourself as a being detached from all friendship, relations, or connections, but what interest alone forms. If therefore you find a friend sinking in court favour, it is false policy to espouse his part; the safest way is to take the lead in the cry against him, and put in practice that generous vulgarism, of *pouring water on a drowned rat*. But if public justice should require an example to be made of a co-minister, you are to make a common cause with him; for a substantial reason. It may be your own case in time, and *precedents of impunity* are ministerial ramparts.

To conclude; If you are an outed minister, or a *pro tempore* patriot, I would have you constantly squint towards the court, and leave good openings towards making your peace. Be but enough feared or hated, and it will be hard indeed, if you do not at length come in upon your own terms. Favour, or the great end of favour, *power*, is now oftener taken and held by conquest, than by free election.

Remember that the corruption of a patriot is the generation of a courtier; and that the court affords an admirable soil for digging of mines; but a good engineer must take care of his train, and guard against a vent, before he springs them.

Patience must be the companion of all those who intend to rise at the British court, by following these maxims—for the present possessors of power adhere to them so closely, that it will not be easy to supplant them. W——h and R——y have learnt them of the Bloomsbury duke; and G——n disdains to fall short of such shining lights of the age.

## To the EDITOR of the POLITICAL REGISTER.

S I R,

**I**N your last number you made a very just and reasonable observation " upon the Spanish Government having for some time past been withdrawing their ships, as it were by stealth, from every port in Spain, and having collected their whole force at Ferrol, so that they are capable of sending to sea a very formidable fleet at a very short notice —and that it looks very much like a preparation for war." —It seems to me, an object deserving of careful and serious attention. But there is now another circumstance that I desire you will lay before the public, and that is, the Russian fleet of fifteen sail of large ships, well manned, and lying in our ports; at the time we have no fleet of equal force to look them in the face, should they have an inclination to use any freedom with our arsenals. What are the terms of friendship between the courts of London and Peterbourg, I am not able to say; nor do I know, whether they may or may not be invited hither, to favour some hidden design. But this I know, that at a time when the a——n has thrown us at home into such a state of general dissatisfaction, it is not impossible but these, and a Danish fleet, which is expected to follow them, may have some end in view, which may not be quite so grateful to free Britons.—Whether you may think my apprehensions groundless, or plausible, I cannot say. But when you consider me, as viewing my country in a very perilous condition, you will not take offence at my request.

*I am, with Esteem, your's*

October 20, 1769.

SUSPICAX.

*We are obliged to our correspondent for his observations; and though we hope there is no room to apprehend any dangerous consequences from the reception of so formidable a fleet into our ports; which is never allowed in any other country—yet we think with him, that it is a reproach to so renowned a maritime state as Great Britain; not to have a squadron ready to put to sea on the first notice of a strong naval force arriving on our coast; whether friends or foes. If the former, our fleet might serve as an honourable escort, to receive the strangers with naval honours: if the latter, to oppose their designs.*

On

*On the Folly of adhering to the Precedents of Rotation, in the Election of chief Magistrates, in Times of public Difficulty or Danger.*

*To the EDITOR of the POLITICAL REGISTER.*

SIR,

NOTHING seems to have been a stronger incitement to public virtue among the ancient Romans, than the distinctions and honours with which it was always recompensed. Statues and triumphs, which were esteemed the highest honours that state could bestow, were the constant rewards of all who had eminently served the commonwealth by subduing her enemies, or enlarging her territories: nor were there wanting crowns, garlands and golden chains, which served as conspicuous distinctions for great and generous actions of a domestic nature, though of less importance to the public. No man possessed the smallest share of merit, without having it openly and legally secured to him; every man's worth was regulated by a fixed standard, and the stock of reputation he possessed, could be as easily estimated, as the value of a real estate in our days.

By means of this wise policy, every member of the state was fired with an early ambition of signalizing himself, in some shape or other, in the service of his country. A man who saw his friends and acquaintance distinguished by the republic for his abilities, grew ashamed of himself, and uneasy until he had raised himself into a equal degree of credit: And the posterity of such a person, were inspired with the same emulation, to tread in the paths of their ancestors, lest they should sink into oblivion, in a country, where honours and dignities were not hereditary, but personal, and made the current price of heroic and virtuous deeds.

All modern states have ever had the same objects in view, in the institution and disposal of their honours and distinctions: the exciting the different orders of subjects to signalize themselves in the service of their country, gave birth to the distinctions of titles of nobility, and to the several orders of knighthood: the engaging the lower ranks of citizens to be sober, frugal, and honest in trade, and vigilant and attentive in the observance and maintenance of the laws and customs, and in the preservation of the rights and privileges of commercial communities and corporations, laid the foundation of civil magistracy, subordinate to the supreme power of the state; and that every individual might have a fair opportunity of arriving at the highest civil honours, it became a custom to bestow them by seniority and rotation. But as the general aim has always been to encourage men to behave well in the civil society to which they belong, and to make themselves shining examples to others of public virtue and patriotism, it necessarily supposes a reversal of the ordinary custom of seniority or rotation, when the exigencies of the state require the exertion of unshaken fidelity and attachment to the public weal, of extraordinary abilities and uncommon fortitude to encounter imminent difficulties and dangers, and of a superior

degree of credit and influence with the people over whom the magistrate is to preside. In such cases it would be an absurdity to follow an idle, though an ancient precedent of rotation, especially if in the order of citizens from which the magistrate is to be elected, there should be found some who have given distinguished proofs of their faithful and warm attachment to the true interests of their country, and of the particular city put under their government. These upon great emergencies, ought to be chosen, in preference to any candidate who has only a rotation plea, and who perhaps may never have it in his power to urge, that public virtue, and a regard for the liberties of his country, have placed him *next the chair*.

Mankind have had woeful experience, in all ages and countries, of the effects of that absurd policy which, in most monarchies, has rendered the supreme power hereditary: children and fools succeeding to crowns have brought the most fatal calamities on millions of innocent people, whose ancestors made a surrender of their natural liberty, and entered into a civil compact for the better security of their lives and properties; and not to have their posterity sacrificed under the mal-administration of fools and tyrants.

A kingdom in Europe, which once made a formidable figure in history, but is now hastening to its decline, not long since groaned beneath the oppressions of a tyrant Minister of State, who could take the sceptre, when he pleased, out of his idle Monarch's hand, who was engaged in delights and pursuits foreign to those of cultivating the affections of his people. *He was burning of butter for the Ladies of his Court, and firing of pistols at the eyes of the figures in the tapestry-hangings of his palace;* while his Minister of State, as much a foreigner to the natives of that country, as Lord Bute is to the English, was ruling his people with a rod of iron. Petitions and remonstrances from them could find no access, and at length the unhappy people were obliged, in an illegal and tumultuous manner, to take vengeance on the Minister, and the timid King fled in consternation from his capital, to which he did not think it safe to return, till the guilty Statesman was banished the kingdom.

In countries where the subordinate magistrates have an extensive authority over large bodies of their fellow-citizens, and where the office of chief magistrates of its incorporated cities are elective, the people have a legal method in their hands of curbing the overgrown authority of the King's Ministers. It is by repeatedly bestowing all elective offices of honour and public trust, on men remarkable for their upright, public-spirited principles, and for their zealous attachment to the ancient laws and customs of their country; and by setting aside those who are fond of a Ministry that has distinguished itself by notorious violations of them. This is the only way to open the door of the King's cabinet, and to introduce petitions and remonstrances to the honour of a familiar acquaintance with him.

And



And there is the greater reason for pursuing this conduct, if it happen at any time to a nation, that its honours and rewards, in the gifts of the crown, which were instituted as recompences for conspicuous merit and signal virtue, are bestowed on men of degenerate principles and profligate manners, who have not rendered any one service to their country, either in a civil or military capacity. Then it is that a people anxious for their rights, and privileges, which can only be preserved by the general virtue of the state, should set a noble example to their Prince by filling all their elective offices throughout such a nation, with patriotic virtuous characters, though coxcombs, fools, sycophants, and parasites, should be next in the *order of succession*.

BRUTUS.

For the POLITICAL REGISTER.

On the Union of Interests between Great Britain and her Colonies,

*Cedebant pariter, pariterque recebant.*

Virgil.

IT is one of the maxims in politics, that the ties of nature and affection do not subsist long between states, but constantly give way to considerations of *interest*. I much doubt; however, the truth of this sentiment, and am certain, that there are many noble exceptions to it recorded in history.

The generosity of the Romans would never suffer them to desert either their *colonies* or their *allies*, on account of any advantages to themselves. On the contrary, they frequently exposed the state to the utmost dangers on their behalf, and maintained their cause, upon all occasions, with the same zeal as their own. How contrary our late system of politics has been to this glorious conduct of the Romans, with respect to our allies, the king of Prussia, I am afraid, will one day or other inform us to our cost; and as for our colonies, their present repeated complaints are standing proofs, that we have departed from that spirit of sound policy, which guided the ancients. But this was not always the case, formerly Great Britain gave many signal proofs of maternal affection for her colonies, it is only of late years, that jealousies and misunderstandings have arisen between them.—Woe to the authors and fomenters of these divisions, who ought to be treated as common enemies and traitors to both. I see so clearly, that we have adopted the maxim above recited, that I shall not state the natural obligations which should engage both countries to consult each other's safety and prosperity. These have been almost annihilated by the false politics of the times; but, if independent of these ties, I can demonstrate that the mother country and the colonies have one common and inseparable *interest*, there will need no further argument to shew the weakness and absurdity of all counsels and measures whatever, that have any tendency to disunite them; and which can only be effected by listening to the ungenerous sentiments of suspicious, mercenary,

nary, evil-designing men, who are, at the bottom, traitors to their country, and are secretly serving the cause of our natural enemy, France. It is therefore of the highest importance to both countries, to have this matter set in a true light. The common friends, and the common enemies of Great Britain and her colonies, have always been, and still continue to be, the same. But such prejudices have been taken up within these few years by some persons in high offices at home, against our brethren in America, that the most strict enquiry into the union and indivisibility of their interests, is become absolutely necessary.

The limits of your work will not allow me to pursue this subject by a regular chain of arguments, deduced from the elements of law, politics, and commerce; permit me therefore to throw out a few observations for the common benefit of both countries.

*Liberty and Trade*, being the grand instruments of all national happiness, must be considered by both parties, as their first and most valuable interests. And if the trade and liberties of each country receive mutual strength and assistance from those of the other, it must follow, that the interest of both is one and the same.

This granted, all taxations that interrupt the trade of the one, and stagnate the manufactures of the other, and all attacks on the liberty of either, must tend to the disunion of their common interest, and the final destruction of both. How the conduct of a certain governor, and the administration of a particular secretary of state, will stand the test of this enquiry into the true merits of their proceedings, their own consciences will best inform them. But with respect to *liberty*, nothing is more evident, than that the Americans hold it by the same tenure as the people of Great Britain; and that on the day they lose it, we must commence slaves. Accordingly we find, that the same spirit which dictated rigorous measures against the colonies, has been carried to proportional lengths at home; the instances are too many, too recent, and too alarming, to bear repeating.

It is high time, Sir, to heal our unhappy differences with our colonies, or they may stand a chance to fall a prey to foreign slavery. For should Great Britain, by ill-timed severity, ruin the trade of the Americans, with the mother country, they must turn it into another channel; they may establish manufactures for their own consumption, and this will be highly prejudicial to Great Britain; but these manufactures will not maintain them, and I believe no sensible man will imagine, that, situated as they are, without a fleet, they can pretend to aim at independence. An extensive commerce, however, they must force through some channel or other, if they cannot carry it on to mutual advantage with Great Britain. The consequence of trading with other nations, would be opposition on the part of the mother country, and this must naturally drive them into the arms of any of the

the great powers on the continent, who may hereafter be in a condition to offer them a powerful fleet to protect their trade.

We cannot therefore be too vigilant in guarding the liberty and trade of the Americans, with the same zeal as their own; for, generally speaking, tyranny and oppression begin in the remote provinces of a state; those who have designs against the public liberty of their country, will only make America the preface to the Doomsday book of Old England. I could therefore wish, that, agreeable to the present fashion of raising subscriptions, a very considerable reward should be offered, and raised by subscription, for the best treatise, in the English language, on the inseparable union of interests, between Great Britain and her colonies, with respect to those inestimable sources of national felicity, *liberty and commerce.*

AN ENGLISHMAN.

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For the POLITICAL REGISTER.

On the SPIRIT of PATRIOTISM.

*Nescio qua natale solum dulcedine cunctos  
Ducit, & immemores non finet esse sui.*

THERE is a kind of magnetic virtue in a man's country, which attracts him to it, as to a center, as naturally as sparks fly upwards. Whether this be an original instinct implanted in our breasts, by the hand of nature, or a posterior feeling, superinduced by habit and education, is not very material to our present purpose; it is sufficient, that it is generally allowed to exist, to operate very powerfully as a principle of action, and to be of the utmost advantage to society.

Self-love is wisely assigned us by nature for the preservation of the individual, and the patriotic passion no less wisely for the preservation of our country. If all men were what some ideal philosophers are pleased to call citizens of the world, a dissolution of society must ensue. The dissipated rays of their affections being diffused over too wide a circle, would lose all their efficacy, and fostering warmth; the human race would be reduced to a more solitary, uncomfortable state than when they ranged the woods and forests in quest of hips, haws, acorns, and other spontaneous productions of uncultivated nature. This is the great principle, which cements and binds together particular societies, in the same manner as the laws of consanguinity, and natural affection, connect particular families and relations. The observance of the latter is acknowledged to be absolutely necessary to the well being of a community within itself; and, why the former should not be equally conducive to the advancement of its interest in all foreign transactions, no good reason can be given.

What then shall we say to the advocates of our present ministry, who, not satisfied with ridiculing all patriotism, would endeavour to persuade us that no such virtue exists? Shall we give

them credit on their mere word? Or shall we rather conclude, that finding all traces of such a principle worn out in their own hearts, they draw from thence an inference to the disadvantage of other men? I am, for my own part, inclined to think that they imitate the example of the fox without a tail. Sensible of the disgraceful loss, which they have sustained from their villainous pranks, they would willingly entail the same dishonour on the rest of the species. Thieves and robbers are not safe but among thieves and robbers. As they cannot reduce us to that state in fact, they would fain do it in idea, that being convinced that all men are of the same stamp, we may, in despair of finding better rulers, leave them perpetual masters of our lives and properties.

But the spirit, which the liberty of the press has diffused over the realm, and the vigorous resolutions, which the most respectable cities, and counties have, in consequence taken, are sufficient to show how vain, and impotent, all their endeavours have proved. The English still breathe the spirit of their ancestors, and do not yield in patriotism to Rome or Sparta. The same ardent love of liberty, the same unshaken attachment to their excellent constitution characterise the body of the people; nor will monarchical despotism, aided by Aristocratical tyranny, be able to quench the generous flame, which now burns so bright in their bosoms.

The iron rod of oppression is first of all felt by the vulgar. No wonder then, if among them the spirit of independence breathes the strongest. Liberty resembles the Christian religion, at its commencement, its votaries are chiefly to be found among the middling and inferior classes of mankind; not many mighty, not many noble are called; the gilded hand of corruption, and the lust of power, make it appear to them foolishness. But the fire always ascends, and is catching; it soon spreads from the under-wood, and seizes the loftiest trees in the forest; like the Gospel, it soon numbers among its proselytes, the chiefs of the people.

Is not this already the case at the present juncture? Are there any embarked in the same bottom with the ministerial faction, but a few sons of perdition? Have not all, who had the least seeds of virtue remaining, abjured their political faith for fear of eternal damnation? Let us then be firm, resolute, and united; and we shall soon triumph over the infernal machinations of those, who are forging for us the chains of slavery. Half the battle is already gained; the most respectable, the most powerful parts of the kingdom, are already leagued against our oppressors; we shall soon see the ringleaders brought to condign punishment.

Other nations love their country, merely because it is their country; because it comprehends their families, their relations, their friends and acquaintances; and, in short, all those whose welfare, and security, they are by nature enjoined to consult. But we love our country, because it comprehends all these endearing relations, blest and ennobled by the inestimable enjoyment of liberty,

erty, of which our forefathers were so enamoured, that many of them quitted this their favourite isle, when they found this birth-right violently wrested from them. Shall not we then exert ourselves, shall we not strain every nerve, in order to prevent the like fatal catastrophe? Were an absolute monarchy established in this kingdom, it would soon be left desolate; the most independent, the most industrious, and the most valuable inhabitants would fly to the regions of freedom beyond the Atlantick, and would carry with them trade and commerce, arts, sciences, and arms. Agriculture would languish, and manufactures decay. As in France, the artisan would be the picture of nakedness, and the peasant the emblem of want; the streets of our most populous cities would be covered with grass; and the fox would look out of the windows of their halls. A minister, like Bulion, treasurer to Lewis the Thirteenth of France, might, with impunity, tell his master, *that his subjects were too happy, that they were not yet reduced to eat grass.*

JUNIUS BRUTUS.

*Copy of a Letter from Cork, on the Situation of Affairs in Ireland.*

**M**ANY and violent are the complaints which you have made on the insignificant and scandalous addresses procured by the ministry on your side the water; but an address has been the other day presented to our chief governor, by way of introduction to the most tyrannical and unconstitutional project that ever has been attempted in this kingdom. It gives us the greatest reason to apprehend, that the little shadow of liberty which was left to this unhappy country, is on the very brink of annihilation; and that the shackles of abject slavery will be our future fate.

It has been lately discovered, that our patriotic Viceroy has received commands from your desperate Ministry, to procure an act of parliament in this kingdom, either for an union with England, or for a land-tax of three shillings in the pound. Lord T——d at first refused to engage in a measure, which he was convinced would meet with the most strenuous opposition, and lose him the entire affections and respect of a people, which he had taken so much pains to acquire, and which he very deservedly enjoyed in the utmost latitude: I say, he at first declined this infamous job, and nobly desired to be recalled from his present station;—but, alas! it seems human nature is not proof against the dazzling temptations of court-influence and corruption. Our chief, our patriotic Governor, whom we almost adored, has strangely altered his sentiments, and adopted the measure; and is now actually exerting all that influence, which by his generosity, affability and integrity, he has engrossed; not only in the senate, but over all other ranks of people throughout the whole nation, to enable him to carry this detested measure into execution the next session of parliament; and nothing is now left to the friends of this wretched island, but to unite in defence of their

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invaded

invaded rights and property, and firmly to oppose this daring depredation. The opposition, I trust, will be equal to the importance of the subject.—Strong parties are already formed on both sides; and, like the most mortal enemies, they are now preparing, with the greatest ardour, to take the field early the next campaign in the House of Commons; but what the event will be, heaven only knows.

The L——d L——t, and his tools and pandars, well know the strength of the opposition; and although they have undertaken this dangerous business, dread the event; as a miscarriage will blast all their hopes, and dismiss them from those lucrative employments, for the holding of which, they are on the point of sacrificing their honour, conscience, and country. We have, thank God, in this great trial, our \* Wilkes, † Sawbridge, ‡ Townshend, and § Grenville, as well as you, nobly to oppose this arbitrary and daring attack. Our heroes, like yours too, have been long tried, and are proof against every court-temptation; and I am sure will gloriously expire in the gap of liberty, to preserve their country from perpetual slavery.

But, in order to accomplish this detestable scheme, our once glorious chief G——r has condescended to a meanness, to a poverty of disgrace, that I am sure will astonish you, as much as it alarms every inhabitant of this kingdom. I have already observed to you, that his E——y and his emissaries dread the power of their opponents; and, in order to dragoon us into a compliance, have determined upon an augmentation of the forces on this establishment.

After the enormous imposition of keeping upwards of thirty regiments ever since the peace, when we are obliged to pay, or support no more than twelve, our governors were greatly perplexed how to introduce this addition to our internal peace and security; and, after many deliberations and consultations, it was at length agreed, that some capital town or city should address his E——y on this very necessary protection. Several places were tried, the agents employed were repulsed: but, in order to effect it, his E——y, in person, arrived here a few days ago, with a number of emissaries and agents with him—applications were made to the principal and most opulent inhabitants; but every offer, every bribe, was rejected, with contempt or indignation. Reduced to the last shift, they distributed two or three hundred guineas amongst a set of journeymen weavers, and other poor tradesmen, who attended his E——y with an address, which was delivered to him; in which they have, amongst other things, prayed, that his E——y will be graciously pleased to grant them an augmentation of regular forces in this kingdom, to secure their property, and protect them from their enemies.

The address has been graciously received, and no doubt their prayers will be heard—you complain of Scotch, and other scandalous addresses, procured and presented: But match this if you

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Harwood, † Perry, ‡ Flood, and § Brownlow.

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can. In short, we are in the utmost consternation and confusion; and our next meeting of parliament must determine, whether we shall commence abject slaves, or die in defence of our liberties and property.

Yours, &c.

## POLITICAL INTELLIGENCE.

*London, September 29.*

**T**HIS day a Common Hall was held in the Guildhall of the City of London, for the election of a Lord Mayor for the year ensuing—About a quarter past one, the present Lord Mayor and the Court of Aldermen entered the hall; when Mr. Alderman Harley came in, he was received with a loud hiss; Mr. Alderman Beckford and the two new Sheriffs met with as loud a shout of approbation—The Lord Mayor having ascended the Hustings, and opened the business of the day, retired as usual with the court of Aldermen to the Council-chamber—A long interval now ensued before any other business was done; at last, the Livery growing very impatient Mr. Sheriff Townsend came forwards and told them, 'that just as they were going to proceed on the election, the City Serjeant had put into his hands an extract of an Act of parliament, so far back as the 3d year of Henry VI. whereby it was enacted, "that no person could be elected Mayor a second time, but after the full expiration of seven years from the end of his first Mayoralty."—In consequence of which act, Mr. Alderman Beckford, having so lately served the office, could not be again elected—Mr. Sheriff Townsend declared, that he was astonished at such a precedent being introduced just at the very crisis of election, which had he heard of before, he would have come prepared for; and as he knew a respectable number of the Livery had a meeting the night before at the Half moon Tavern, who had nominated Wm. Beckford, and Barlow Trecothick, Esqrs; he thought it his duty to inform them of the obstacle to their wishes, and that the City Serjeant had objected to the election of Alderman Beckford, declaring that it would be irregular and illegal.' Mr. Sheriff Townsend having delivered himself in the most masterly, but at the same time, expressive and clear terms, met with repeated shouts of approbation, from as full a Hall, as perhaps was ever assembled, while the breasts of the Livery glowed with indignation at the behaviour of the City Serjeant, whom, at that moment, they looked on as a vile ministerial agent; it appearing to them, that he had taken uncommon pains to glean a precedent from an old worm-eaten law-book, merely to thwart the intentions and firm resolutions of so respectable a body as the united Livery of London.—But however, their intentions were not to be thwarted—for by this time, George Bellas, Esq; had found a precedent in Sir John Barnard, so lately as the year 1741, which was immediately read, and which entirely over-ruled the extract from the obsolete act of parliament.—This precedent, the City Serjeant assured the Livery, had escaped him,

him, and that he thought it his duty to inform the Sheriffs of the first Extract, and should as readily have done so with this, had he met with it, but as in these cases it was customary to refer back for precedents, from Michaelmas, to Michaelmas, the usual time of election, and as the precedent last quoted was an election in the middle of the year, occasioned by the death of Alderman Parsons, he had missed it; as any other person, more accurate than himself, might have done.' My Sheriff Sawbridge also very genteelly exculpated him, in a short speech to the same purport.—After naming the several Aldermen who had not passed the chair, the Sheriffs declared Barlow Trecothick, and William Beckford, Esqrs; elected; but Mr. Deputy Ellis and Mr. Reily demanded a Poll in behalf of Sir Henry Banks. Accordingly the books were immediately opened; and the poll continued till Friday the 6, and on Tuesday the 10, upwards of four thousand of the Livery assembled in Guildhall, to hear the Sheriffs return of the poll for Lord Mayor of this city for the year ensuing. About twelve o'clock Messrs Sawbridge and Townsend came upon the hustings, and after repeating the numbers, declared William Beckford, and Barlow Trecothick, Esqrs. had a considerable majority, and returned to the Court of Aldermen in order for that court to make choice of one of the above named gentlemen.—From twelve 'till near five was spent in debate in the Council Chamber; at five, however, the Lord Mayor and Court of Aldermen ascended the hustings; and the Recorder, in the usual form, read over the names of the several Aldermen who had not been in the chair, and declared that, 'the Sheriffs had returned William Beckford, and Barlow Trecothick, Esqrs, as the two chosen by the Livery; and that of them two, the Court of Aldermen had made choice of William Beckford, Esq; but that gentleman having already served the office, did not look upon himself as compellable to serve it a second time, and had therefore *refused* it.'—The Livery, who were unanimous for the having Mr. Beckford their Mayor, expressed themselves much discontented at this report; and upon the universal cry of, *No refusal, Beckford or none*, Mr. Alderman Beckford came forwards, and begged leave to say a few words to the Livery. He began with declaring, that 'his refusal of the office in the Council-Chamber was expressed in other words than those used by the Recorder.' Upon this that officer came forwards, and shewed Mr. Beckford the copy of his refusal: on seeing which, he begged the recorder's pardon, and declared that the Recorder had pronounced the words in such a peculiar manner (probably meaning the very strong emphasis laid on the word *refused*) that he could not think they were those he had spoken: he declared that he had the highest sense of the great favour and honour done him by the Livery, and that he thought the best return he could make them, was by frankly and openly confessing, that his age and infirmities had so far impaired his abilities, that he really did not think he was capable of going thro' the high office of Chief Magistrate of this City, with that spirit, vigour



'vigour and dignity, which it undoubtedly required, that this and  
 'this alone was the reason of his refusing it; that the Livery had  
 'elected him seven years since to this Office, and that even then  
 'he begged to be excused, but at their desire had undertaken it—  
 'that the weight of the office had fallen heavy upon him; and that  
 'he was now seven years older, and felt his infirmities so much that  
 'he must decline it.'—He also took occasion to inform the livery  
 'that, 'the bye-law mentioned on Friday se'nnight, had dwelt much  
 'upon his mind—that the first notice he had of it was on Michael-  
 'mas day, in the Council Chamber, when it was read to him by  
 'the *worthy* Recorder; that he thought it ought to have been  
 'made known to the livery as soon as it was discovered, tho' he  
 'begged leave to excuse his *old* friend, the Town Clerk, and the  
 'Common Serjeant, from any factious view in concealing it for  
 'some days, as he understood, they had done—that it did  
 'not at all appear to him upon reading it, nor did he  
 'conceive it would to any *wise* man, that he was rendered  
 'ineligible by it, and that he thought it highly improper for  
 'every old book to be thumb'd for precedents, merely to thwart  
 'the known intentions of a very numerous and respectable body  
 'of people'—he mentioned an old obsolete act in the reign of Hen-  
 'ry VIII. that was read in the House of Commons last session,  
 'and had never been repealed; whereby 'the Americans were de-  
 'prived of every security of those rights and privileges they  
 'ought to enjoy, and, that in consequence of that act, the Ame-  
 'ricans were absolute slaves; as an American may be torn, from  
 'his family, brought over to England, and tried in any court,  
 'even this, (pointing to our *respectable, disinterested, and patriotic*  
 'Bench of aldermen) without the possibility of his producing any  
 'evidence of his innocence'—he declared, 'if these precedents  
 'for depriving subjects of their invaluable liberties were brought  
 'out of obscurity, he thought every one which gave security to  
 'the subject, ought to be equally known, and immediately men-  
 'tioned an act of that magnanimous young Prince Henry the  
 'Fifth, according to the tenor of which, he declared, not one  
 'in twenty of the present House of Commons were proper per-  
 'sons to sit in that House." At finishing his speech, which was  
 'every moment interrupted with shouts of applause, he again  
 'assured them, that nothing but the sense he had of his own inabi-  
 'lities prevented his accepting the honour they intended him,  
 'that the spirit was strong, but the flesh was weak. The Livery were,  
 'nevertheless, very unwilling to wave their choice, but growing  
 'extremely dark, (it being six o'clock) the Lord-Mayor adjourned  
 'the Court.

October 12. This day the sheriffs went to the Half-Moon Tavern  
 in Cheapside, where being joined by Mr. Lovell, the chairman  
 of a respectable body of the livery assembled there, they formed  
 an handsome procession of fourteen coaches, and waited on  
 Mr. Beckford, at his house in Soho-square, who gave them a  
 very polite reception, and at last yielded to the solicitations of  
 the livery, declaring that notwithstanding his advanced years and  
 infirmities, he would devote himself to the service of this metro-  
 polis.

polis, and of the nation in general, by accepting at this important crisis, the office of Lord Mayor.

Several patriotic meetings have been held in different parts of the kingdom, for the purpose of petitioning the king for a redress of national grievances, and as one means thereof, for the dissolution of the present parliament.

The freeholders of Yorkshire, Devonshire, Wiltshire, Herefordshire, and of the borough of Southwark, with some other places of less note, have already prepared their petitions, which are in great forwardness for presentment: and when delivered to his majesty, they shall be inserted, in their order of delivery, in this register.

The speech which the Right Honourable George Grenville made in a certain assembly, at the time of the Middlesex election, against the measures then pursued relative to that affair; and which is the best and most conclusive on that subject, is just published. This speech is declared by those who are judges, to carry conviction in every line, of the impropriety and illegality of the ultimate measures, founded as well on reason as precedent; many new lights and observations are thrown out on the whole of that transaction hitherto untouched by others: and nothing but the determined resolution of carrying that point, right or wrong, could have prevented it from having its due effect at the time of its delivery. It will be given in our Review for next month.

*The sincere friends of this able statesman heartily wish that he would, with his usual candour, acknowledge, that he may have been mistaken with respect to the American revenue acts. To err is human, to forgive divine: the latter, he would immediately experience from the Americans, on his acknowledgement of the former; and then all honest men in the British dominions will wish to see him replaced in the exalted station, where he practised that wholesome oeconomy, in the management of the public revenue, on which the salvation of this country chiefly depends.*

*Let it be remembered that he reduced the exorbitant demands of the German commissaries, who, perhaps, owe as much to the nation as a certain pay-master.*

T. M.

We are credibly informed, that the application which was made to obtain a respite for Simpson the gardener, who was executed on the 18th. of October, was attended with success; and that our most gracious sovereign, who distinguishes himself by such glorious acts of clemency, granted the said respite on Tuesday afternoon, at the intercession of the hon. lady M—n and lady Caroline F—y: but unhappily for the poor convict, the formality of office required that it should be forwarded to the sheriffs through lord W—'s office. It was accordingly carried to him at B—P—; but his lordship being some how or other *disordered*, neglected to forward it, went out on a hunting party next morning, and the poor man was hanged.—Another subject lost to the state, and numbered with poor young Allen and Clarke among the dead.

*Sch*

*Select Correspondence concerning the Negotiation for the late ignominious Peace.*

L E T T E R I.

Addressed to Dr. MUSGRAVE, of PLYMOUTH.

S I R,

THE meritorious and intrepid manner, in which you have stepped forth, and called the public attention to the negotiation of the last infamous peace, deserves the thanks and applause of your country. As an individual of this country, not wholly unacquainted with some parts of that negotiation, you have my poor thanks: but thanks alone are not sufficient in such a cause. I should hold myself the basest of Englishmen, if I did not contribute my mite towards accomplishing a full and impartial enquiry into the manner in which that important work was conducted: Such parts of the negotiation as have accidentally come to my knowledge, I shall freely relate. If my account is true, as I have great reason to believe it is in the general, I hope it will warm some virtuous man to stand up in his place, and call for the papers relating to that negotiation. In a pamphlet, intituled, *The present State of the Nation*, &c. p. 24, 8vo edit. published last winter, there is this extraordinary passage, evidently alluding to these papers, which I have often wondered was not taken notice of; "Whether by the treaty, Great Britain obtained all that she might have obtained, is a question to which those only who were acquainted with the secrets of the French and Spanish cabinets can give an answer. *The correspondence relative to that negotiation has not been laid before the Public*; for the last parliament approved of the peace as it was, without thinking it necessary to enquire, whether better terms might not have been had."

The secret of the negotiation, or ultimatum, on the part of England was neither in the D. of B. the B. A. at Paris; nor in the late Earl of Egremont, the official Minister at home, who was Secretary of State for the Southern department; but between Lord Bute and the Sardinian Minister in London, and the Duc de Choiseul and the Sardinian Minister at Paris.

The fact, of thus committing the management of the most important affairs of Great Britain to the Ministers of a foreign power; is extraordinary and alarming, and ought to be considered as highly criminal; especially when we recollect, that the Sardinian Minister in London, at the time of his present Majesty's coronation, signed a protest in favour of the House of Savoy, which he procured to be legally attested and given in, in the name of the King his master. He printed or caused to be printed, the *Genealogie de la Famille Royale d'Angleterre*, by which he hoped, at a future day, that the ridiculous claims of his master's family, as being, although Papists, immediately descended from Henrietta Maria, the daughter of Charles I, would have prevailed over those of the House of Brunswick, who are descended

from Elizabeth, Electress palatine, one degree more remote from the crown, as being the daughter of James I. He might hope for a general confusion among us; but being born under arbitrary government, he could not have the least idea of the only lawful right to the crown of these realms, a parliamentary right. The contrary doctrine was in Queen Anne's time expressly declared to be *high treason* by a particular statute, the "Act for the better securing her Majesty's person and government, and of the succession to the crown of England in the Protestant line; That if any or persons, from and after the 25th day of March, 1706, shall maliciously, advisedly, and directly, by writing or printing, declare, maintain or affirm, that the Kings or Queens of England with and by the authority of the parliament of England, are not able to make laws and statutes of sufficient force and validity to limit and bind the crown of this realm, and the DESCENT, LIMITATION, INHERITANCE, and government thereof, every such person or persons shall be guilty of High Treason and being thereof convicted and attainted, &c. &c." Count Viry acted by the express orders of his court, in conjunction with the court of France. In the same manner the two courts acted in concert, at the beginning of this century, in the last year of our glorious Deliverer King William III. Count Massey, the Ambassador from Savoy, delivered in the first famous protestation in the name of the Dukes of Savoy, against the Hanover succession, at the time the Duke himself commanded the French army in Italy, with Marshal Catinat and the Prince of Vaudemont under him, and every action of his life was dictated by France.

The present Count V. (who, during his late father's life-time, was known by the name of M. De Verois) had a pension granted him for his services in this negotiation of 1000*l.* per ann. on the Irish establishment, though not in his own name. In the *debates relative to the affairs of Ireland in the years 1763 and 1764, &c.* inscribed by permission to Lord Chatham, we find this fact mentioned, Vol. II. page 475, by Mr. Edmund Sexton Perry, who thus speaks: "I shall communicate a fact to this House. There is a pension granted nominally to one George Charles, but really to Monsieur De Verois, the Sardinian Minister for negotiating the peace that has just been concluded with the Minister of France, I must, confess, Sir, that, in my opinion, this service deserved no such recompence, at least on our part. If it is thought a sensible measure, I should be glad to know why it was not avowed; and why, if it is proper we should pay 1000*l.* a year to Mons. De Verois, we should be made to believe that we pay it to George Charles."

Besides the above pension, there was certainly a remittance from France or Spain, or both, of a considerable sum of money; but for whom it was designed is not at present so certainly known. However, there is no doubt that Count V. is thoroughly acquainted with the whole of that transaction: but now that the affair of the peace begins to be enquired into, he is preparing to depart the kingdom;

Kingdom; and has actually sold his pension upon the Irish establishment for 16000*l.* or thereabouts.

When the D. of B. set out for Paris, which was on the 5th of September, 1762, he had *full powers* to treat with the French ministry upon the terms of peace. But when he arrived at Calais, a messenger was dispatched after him, containing a limitation of those powers. Upon which, he instantly dispatched the same messenger back to London, declaring (by letter) he would proceed no further, unless his former instructions were restored. He waited at Calais for the return of this messenger, who brought a restoration of his former instructions. However, he submitted, notwithstanding this affected spirit, to see the conquests of a glorious war bargained for and surrendered by the two Sardinian Ministers. In a word, the D. made no important figure in the negotiation, till an event turned up, which seemed, by the confusion it occasioned, to be totally unexpected. This was the capture of the Havannah.

This being only an introductory letter, my next, I hope, will be more worthy of your attention; at least, it will contain some important truths. I am, Sir, your most humble Servant,

An ENGLISHMAN.

## L E T T E R II.

To Dr. MUSGRAVE, of PLYMOUTH.

S I R,

**M**Y last letter concluded with the mention of the conquest of the Havannah. The news of this important conquest arrived in England on the 29th of September, 1762, while the treaty of peace was negotiating. Until this period, the D. of B. had little or no trouble in the negotiation, for the principal articles or great outlines of the terms of peace had been previously settled between Lord Bute and Mons. De Verois (now Count Viry) in England, and the Duc de Choiseul and the Sardinian Minister at Paris.

At this time the Right Hon. G. — G. — was Secretary of State for the Northern department, and by his office (being a commoner) was to carry the peace through the House of Commons, when it should be laid before that House. When the news of the conquest of the Havannah came, and it was directly determined by the Favourite to give up this important island, because it should not embarrass the negotiation, nor impede the conclusion of the peace, Mr. G. — differed, and, in particular, insisted upon an indemnification for it, from either France or Spain. He wanted St. Lucia and Porto Rico, or the entire property of Yucatan and Florida. The Favourite refused to make application for any of these; upon which Mr. G. — resigned October 12, 1762\*.

\* In the pamphlet, intituled, *An Appendix to the State of the Nation*, we find this fact strongly pointed at, p. 16. wherein the au-

Mr. Fox (now Lord Holland) was then called upon to carry the peace through the House of Commons. Lord Halifax succeeded to Mr. G——'s office, but Lord Halifax being of Mr. G——'s opinion, prevailed to have an instruction sent to the D. of B—— to demand Florida only, which was granted without hesitation; for the messenger who was dispatched to the Duke at Paris with this demand, returned in eight days, with an account of its having been complied with. The fact is, the French Minister (Choiseul) obliged the Spanish Minister to agree to this demand, without sending to his court. A proof of the discretionary power which was vested in the French Minister by the court of Spain, to agree to whatever compensation should be insisted upon for the Havannah,

The following anecdote concerning the English ultimatum may throw some light on the preceding fact.—Towards the latter end of the negotiation, Mr. Wood, then Secretary to Lord Egremont, called one day at the Duc de Nivernois' (the French Ambassador in London) about three o'clock, and desired to speak with him. The Swiss told Mr. Wood his Excellency was dressing, and could not be disturbed: but Mr. Wood insisting upon admittance, was carried up stairs, and passing thro' a bed-chamber leading to the dressing room, he laid some papers upon the bed, and covered them with his hat. This circumstance being observed by the French Secretary, he directly whispered the Ambassador to keep Mr. Wood to dinner, and he would copy the papers if they contained any thing essential. This was accordingly done: and these very papers, which contained nothing less than the Ultimatum on the part of England, were actually copied by the French Secretary and his clerks, and dispatched that very night to the Duc de Choiseul at Paris. Thus the French Minister at Paris was in possession of these important papers at least two days before the D. of B——.

In a subsequent conference which the D. of B—— had with the French Minister, he urged a compliance to his demands in a high and peremptory tone; the wily French Minister smiled, and

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thor says, in reply to the *Observer*: "If he means to charge the great statesman (Mr. G.) who was Secretary of State at the time the plans for the reduction of Martinique and the Havannah were carried into execution, with consenting to restore them without compensation; I must tell him, that it was publicly spoken of, at the time the treaty of Paris was negotiating, that this gentleman resigned his office of Secretary of State for no other reason, than that further cessions in the West Indies were not insisted on." And in the *Observations on the State of the Nation*, we find that author not unacquainted with this part of the negotiation, though, agreeable to the principles of the party he espouses, it is but faintly touched; page 29, 8vo edit. are these words, "If this gentleman's hero of finance, instead of flying from a treaty, which, though he now defends, he could not approve, and would not oppose; if he, instead of shifting into an office, which removed him from the manufacture of the treaty," &c.

told

told his G. He knows the sentiment of the court of London upon the whole business.

It was the current report in England when the D. of B—— returned from France, that he had frequently said to his friends, that he could have obtained better terms of peace if he had been permitted. If he was controuled, why does he not now shew those instances of controul, and who it was that obliged him to sacrifice the conquests of the war? As he is known to keep a diary of all public transactions wherein he is concerned, there is no doubt of his being able to give full information; and as days and dates are sometimes of importance in affairs of this kind, his diary will assist him greatly on this occasion. Besides, his letters are somewhere in existence; the Chevalier D'Eon never saw them, and consequently a motion in the H—— of O—— might produce them. We should then see who were the betrayers of our country in that infamous peace: And who it was that so frequently pressed his G. to conclude the negociation, and sign the treaty. The originals of all these important letters are probably in being; and if they should not, there is no doubt the D. has a copy of them in his diary. I repeat it emphatically, the correspondence relative to the negociation ought to be laid before the public, the commons of England have a right to call for it; and it is a duty which they owe to their country and to posterity.

Whether the immediate cession of Florida, or what other cause that hath not yet transpired, encouraged the demand of Porto Rico, or whether the D. of B——, knowing Mr. G——'s sentiments, made that demand himself, finding Florida so easily given up; certain it is, that a demand of that important island was made, and here the French Minister resorted to his chicane. A messenger was sent with this demand to the court of Madrid. Fourteen days were allowed for the messenger to return. During this interval, the D. received express and positive orders to *sign the treaty immediately*. Two days after the treaty was signed, and within the fourteen days, the messenger returned from Madrid, with the surrender of the island. It has been suspected, perhaps from the complexion of the fact, that the island was purchased. If it was, Count V——, no doubt, knows both the sum that was given, and to whom it was consigned. If any sum actually was given, it was by Spain; for the view of France was, to make Spain pay the piper.

My next will contain some further particulars of this extraordinary negociation. I am, Sir, your humble servant,

An ENGLISHMAN.

### L E T T E R III.

To Dr. MUSGRAVE, of PLYMOUTH.

SIR,

**T**HE article respecting the East India Company, is a demonstration that better terms of peace might have been obtained, if they had been insisted upon. During the negociation Mr. Wood waited

waited on Mr. Roux, on the subject of an article, including the Company's affairs, to be inserted in the treaty. An article was accordingly framed, and sent to the ministers, who said it was impossible to obtain what was therein demanded. They altered it: and if it had been permitted to remain with their alterations, as it had been agreed to by the French ministers, and as it stood in the preliminaries, the interests of the Company would have been essentially injured. But Lord Clive opposed it; and in consequence of this opposition, it was altered to the form in which it now stands in the general treaty.

With regard to the *present*, or rather *new* treaty of commerce, the following is not a little curious.

When the D. of B. Mr. N—le, and the Duc de Choiseul and Praslin were together at Choiseul's hotel, at a conference on the peace, the D. of B. said, he would not renew the treaty of commerce that was made at Utrecht, because some of the articles in it had been disapproved by the British parliament. The subject dropped after a short conversation upon it, and they proceeded to renew the treaty of Aix la Chapelle, and other matters. At length the D. of B. renewed the subject of the treaty of commerce: upon which Choiseul said, the treaty of commerce had never been mentioned during the negotiation. But, answered the D., it has always been understood. Choiseul replied, you must either take the treaty of commerce as it now is, between the two nations (meaning that which was offered to be renewed) or there must be no treaty of commerce at all. The D. of B. declared, he would not accept of that treaty; nor would he sign the treaty of peace, unless a treaty of commerce was previously agreed to. And so, says Choiseul, you want to carve that treaty just as you please; to put in some articles, and to strike out others.—*No!* said he in an exclamation, and turning about to a picture of the French King, which hung up in the room, and clasping his hands together, cried out, *My dear master! when I sacrifice your honour, take off my head.*

Mr. N—le then said, Mons. Choiseul, what better would you be if that treaty was renewed? The British parliament would disapprove of it, and the D. of B. would be impeached for it.—Think you so, said Choiseul?—Yes, answered the D. of B. and added, if you do not consent to the making a new treaty of commerce, I will return to England tomorrow morning, and tell the K. there is no honour in the French ministry; that he must send for Mr. PITT, who is the only man to deal with them, and renew the war. The name of *Pitt* frightened the French minister; he gave up the contest. A treaty of commerce was made; but has not been published, nor was it laid before parliament.

During the negotiation, the Duc de Choiseul was constantly complaining of the English news-papers; which, he said, were continually publishing the terms of the peace; and these papers coming into France, he added, induced the French to think, and say, he was sacrificing the interest of France in that treaty; which he apprehended might occasion some enthusiast to assassinate him.



in compliance to him, and to quiet his fears on that head, it was that no authentic defence, nor even authentic account of the negotiation and treaty, was ever published.

Every reader will make his own observations on this series of extraordinary Facts. I have given them to the world without any of those advantages which they might have derived from a detail in fine language, being convinced, *that plain truth needs no flowers of speech.*

I am, SIR, Your most humble servant.

AN ENGLISHMAN.

*A Word at parting to JUNIUS.*

SIR,

*Clifton, Oct. 2.*

**A**S you have not favoured me with either of the explanations demanded of you, I can have nothing more to say to you upon my own account. Your mercy to me, or tenderness for yourself, has been very great. The public will judge of your motives. If your excess of modesty forbids you to produce either the proofs, or yourself, I will excuse it. Take courage, I have not the temper of Tiberius, any more than the rank or power. You, indeed, are a tyrant of another sort, and upon your political bed of torture can excruciate any subject, from a first minister down to such a grub or butterfly as myself. Like another detested tyrant of antiquity can make the wretched sufferer sit the bed, if the bed will not fit the sufferer, by disjoining or tearing the trembling limbs until they are stretched to its extremity. But courage, constancy and patience, under torments, have sometimes caused the most hardened monsters to relent, and forgive the object of their cruelty. You, Sir, are determined to try all that human nature can endure, until she expires: Else was it possible that you could be the author of that most inhuman letter to the Duke of——? I have read it with astonishment and horror; where, Sir, where were the feelings of your own heart, when you could upbraid a most affectionate father with the loss of his only and most amiable son? Read over again those cruel lines of yours, and let them wring your very soul! Cannot political questions be discussed without descending to the most odious personalities? Must you go wantonly out of your way to torment declining age, because the Duke of—— may have quarrelled with those whose cause and politics you espouse? For shame! for shame! As you have spoke daggers to him, you may justly dread the use of them against your own breast, did a want of courage, or of noble sentiments stimulate him to such mean revenge. He is above it; he is brave. Do you fancy that your own base arts have infected our whole island? But your own reflections, your own conscience, must and will, if you have any spark of humanity remaining, give him most ample vengeance. Not all the power of words with which you are so graced will ever wash out or even palliate this foul blot in your character. I have not time at present to dissect your letter so minutely as I could wish, but I will be bold enough to say, that it is (as to reason and argument

argument) the most extraordinary piece of flimsy impudence that was ever imposed upon the eyes and ears of the too credulous and deluded mob. It accuses the Duke of ~~high treason~~ of high treason. Upon what foundation? You tell us "that the Duke's pecuniary character makes it more than probable, that he could not have made such sacrifices at the peace, without some private compensation; that his conduct carried with it an interior evidence, beyond all the legal proofs of a Court of justice."

My academical education, Sir, bids me tell you that it is necessary to establish the truth of your first proposition, before you presume to draw inferences from it. First prove the avarice before you make the rash, hasty and most wicked conclusion. This father, *Junius*, whom you call avaricious, allowed that son eight thousand pounds a year. Upon his most unfortunate death, which your usual good-nature took care to remind him of, he greatly increased the jointure of the afflicted lady, his widow. Is this avarice? Is this doing good by stealth? It is upon record.

If exact order, method, and true economy as a master of a family; if splendour and just magnificence without wild waste and thoughtless extravagance, may constitute the character of an avaricious man, the Duke is guilty. But for a moment let us admit that an ambassador may love money too much; what proof do you give that he has taken any to betray his country? Is it hearsay; or the evidence of letters, or ocular; or the evidence of those concerned in this black affair? Produce your authorities to the public. It is a most impudent kind of sorcery to attempt to blind us with the smoke, without convincing us that the fire has existed. You first brand him with a vice that he is free from, to render him odious and suspected. Suspicion is the foul weapon with which you make all your chief attacks, with that you stab. But shall one of the first subjects of the realm be ruined in his fame? shall even his life be in constant danger from a charge built upon such sandy foundations? Must his house be besieged by lawless ruffians, his journeys impeded, and even the asylum of an altar be insecure, from assertions so base and false? Potent as he is, the Duke is amenable to justice, if guilty, punishable. The Parliament is the high and solemn tribunal for matters of such great moment. To that be they submitted. But I hope also that some notice will be taken of, and some punishment inflicted upon, false accusers, especially upon such, *Junius*, who are wilfully false. In any truth I will agree even with *Junius*; will agree with him that it is highly unbecoming the dignity of peers to tamper with Boroughs. Aristocracy is as fatal as democracy. Our constitution admits of neither. It loves a King, Lords and Commons, really chosen by the unbought suffrages of a free people. But if corruption only shifts hands; if the wealthy commoner gives the bribe, instead of the potent peer, is the state better served by this exchange? Is the real emancipation of the Borough effected, because new parchment bonds may possibly supersede the old? To say the truth, wherever such practices prevail, they are equally criminal to; and destructive of our freedom.

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The rest of your declamation is scarce worth considering, excepting for the elegance of the language. Like Hamlet in the play, you produce two pictures; you tell us, that one is not like the Duke of —, then you bring a most hideous caricatura, and tell us of the resemblance; but *multum abludivit imago*.

All your long tedious accounts of the ministerial quarrels, and the intrigues of the Cabinet; are reducible to a few short lines; and to convince you, Sir, that I do not mean to flatter any minister; either past or present: These are my thoughts: They seem to have acted like lovers, or children; have pouted, quarrelled, cried, kissed, and been friends again, as the objects of desire, the ministerial rattles, have been put into their hands. But such proceedings are very unworthy of the gravity and dignity of a great nation. We do not want men of abilities; but we have wanted steadiness; we want unanimity: Your letters, *Junius*, will not contribute thereto. You may one day expire by a flame of your own kindling. But it is my humble opinion, that lenity and moderation, pardon and oblivion; will disappoint the efforts of all the seditious in the land; and extinguish their wide spreading fires. I have lived with this sentiment, with this I shall die.

W. D.

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*JUNIUS in reply to Sir WILLIAM DRAPER's word at parting.*

S I R,

**I**F Sir William Draper's bed be a bed of torture, he has made it for himself, I shall never interrupt his repose. Having changed the subject, there are parts of his last letter not undeserving of a reply. Leaving his private character and conduct out of the question, I shall consider him merely in the capacity of an author, whose labours certainly do no discredit to a news paper.

We say, in common discourse, that a man may be his own enemy, and the frequency of the fact makes the expression intelligible. But that a man should be the bitterest enemy of his friend, implies a contradiction of a peculiar nature. There is something in it, which cannot be conceived without a confusion of ideas, nor expressed without a solecism in language. Sir William Draper is still that fatal friend Lord Granby found him. Yet I am ready to do justice to his generosity; if indeed it be not something more than generous, to be the voluntary advocate of men, who think themselves injured by his assistance, and to consider nothing in the cause he adopts, but the difficulty of defending it. I thought however he had been better read in the history of the human heart, than to compare or confound the tortures of the body with those of the mind. He ought to have known, though perhaps it might not be his interest to confess that no outward tyranny can reach the mind. If conscience plays the tyrant, it would be greatly for the benefit of the world, that she were more arbitrary, and far less placable than some men find her.

But it seems I have outraged the feelings of a father's heart.—Am I indeed so injudicious? Does Sir William Draper think I

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would

would have hazarded my credit with a generous nation, by so gross a violation of the laws of humanity? Does he think I am so little acquainted with the first and noblest characteristic of Englishmen? Or how will he reconcile such folly with an understanding so full of artifice as mine? Had he been a father, he would have been but little offended with the severity of the reproach, for his mind would have been filled with the justice of it. He would have seen that I did not insult the feelings of a father, but the father who felt nothing. He would have trusted to the evidence of his own paternal heart, and boldly denied the possibility of the fact, instead of defending it. Against whom then will his honest indignation be directed, when I assure him, that this whole town beheld the D. of——'s conduct, upon the death of his son, with horror and astonishment. Sir William Draper does himself but little honour in opposing the general sense of his country. The people are seldom wrong in their opinions;—in their sentiments, they are never mistaken. There may be a vanity perhaps in a singular way of thinking;—but when a man professes a want of those feelings, which do honour to the multitude, he hazards something infinitely more important than the character of his understanding. After all, as Sir William may possibly be in earnest in his anxiety for the D of——, I should be glad to relieve him from it. He may rest assured that this worthy nobleman laughs, with equal indifference, at my reproaches, and Sir William's distress about him. But here let it stop. Even the D. of——, insensible as he is, will consult the tranquillity of his life, in not provoking the moderation of my temper. If, from the profoundest contempt, I should ever rise into anger, he should soon find, that all I have already said of him was lenity and compassion.

Out of a long catalogue, Sir William Draper has confined himself to the refutation of two charges only. The rest he had not time to discuss; and, indeed, it would have been a laborious undertaking. To draw up a defence of such a series of enormities, would have required a life at least as long as that, which has been uniformly employed in the practice of them. The public opinion of the D. of——'s extreme oeconomy is, it seems, entirely without foundation. Though not very prodigal abroad, in his own family at least, he is regular and magnificent. He pays his debts, abhors a beggar, and makes a handsome provision for his son. His charity has improved upon the proverb, and ended where it began. Admitting the whole force of this single instance of his domestic generosity (wonderful indeed considering the narrowness of his fortune, and the little merit of his only son) the public may still perhaps be dissatisfied, and demand some other less equivocal proofs of his munificence. Sir William Draper should have entered boldly into the detail—of indigence relieved;—of arts encouraged;—of science patronized; men of learning protected, and works of genius rewarded;—in short, had there been a single instance, besides Mr. Rigby, of blushing merit brought forward by the Duke, for the service of the public, it should not have been omitted.

T with it were possible to establish my inference with the same certainty, on which I believe the principle is founded. My conclusion however was not drawn from the principle alone. I am not so unjust as to reason from one crime to another; though I think that, of all the vices, avarice is most apt to taint and corrupt the heart. I combined the known temper of the man, with the extravagant concessions made by the ambassador, and tho' I doubt not sufficient care was taken to leave no document of any treasonable negotiation, I still maintain that the conduct \* of this minister carries with it an internal and a convincing evidence against him. Sir William Draper seems not to know the value or force of such a proof. He will not permit us to judge of the motives of men, by the manifest tendency of their actions, nor by the notorious character of their minds. He calls for papers and witnesses, with a sort of triumphant security, as if nothing could be true, but what could be proved in a court of justice. Yet a religious man might have remembered, upon what foundation some truths, most interesting to mankind, have been received and established. If it were not for the internal evidence, which the purest of religions carries with it, what would have become of his once well-quoted decalogue, and of the meekness of his christianity?

The generous warmth of his resentment makes him confound the order of events. He forgets that the insults and distresses which the D. of—— has suffered, and which Sir William has lamented with many delicate touches of the true pathetic were only recorded in my letter to his Grace, not occasioned by it. It was a simple, candid narrative of facts; tho', for ought I know, it may carry with it something prophetic. His Grace undoubtedly has received several ominous hints; and I think, in certain circumstances, a wise man would do well to prepare himself for the event.

But I have a charge of a heavier nature against Sir William Draper. He tells us that the D. of—— is amenable to justice;—that Parliament is a high and solemn tribunal; and that, if guilty, he may be punished by due course of law; and all this, he says, with as much gravity as if he believed one word of the matter.—I hope indeed the day of impeachments will arrive, before this nobleman escapes out of life;—but to refer us to that mode of proceeding now, with such a ministry, and such a—— of C——— as the present, what is it, but an indecent mockery of the common sense of the nation? I think he might have contented himself with defending the greatest enemy, without insulting the distresses of his country.

His concluding declaration of his opinion, with respect to the present condition of affairs, is too loose and undetermined to be of any service to the public. How strange it is that this gentle-

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\* If Sir W. D. will take the trouble of looking into Torcy's Memoirs, he will see with what little ceremony a bribe may be offered to a Duke, and with what little ceremony it was *only* not accepted.

man should dedicate so much time and argument to the defence of worthless or indifferent characters, while he gives but seven salutary lines to the only subject, which can deserve his attention, or do credit to his abilities.

JUNIUS.

*To the Printer.*

SIR,

IT is not wonderful that the great cause, in which this country is engaged, should have roused and engrossed the whole attention of the people. I rather admire the generous spirit with which they feel and assert their interest in this important question, than blame them for their indifference about any other. When the constitution is openly invaded, when the first original right of the people, from which all laws derive their authority, is directly attacked, inferior grievances naturally lose their force, and are suffered to pass by without punishment or observation. The present ministry are as singularly marked by their fortune, as by their crimes. Instead of atoning for their former conduct by any wise or popular measure, they have found, in the enormity of one fact, a cover and defence for a series of measures, which must have been fatal to any other administration. I fear we are too remiss in observing the whole of their proceedings. Struck with the principal figure, we do not sufficiently mark in what manner the canvas is filled up. Yet surely it is not a less crime, nor less fatal in its consequences, to encourage a flagrant breach of the law by a military force, than to make use of the forms of parliament to destroy the constitution. The Ministry seem determined to give us a choice of difficulties, and if possible, to perplex us with the multitude of their offences. The expedient is well worthy of the Duke of G—. But though he has preserved a gradation and variety in his measures, we should remember that the principle is uniform. Dictated by the same spirit they deserve the same attention.—The following fact, though of the most alarming nature, has not yet been clearly stated to the public, nor have the consequences of it been sufficiently understood. Had I taken it up at an earlier period, I should have been accused of an uncandid, malignant precipitation, as if I watched for an unfair advantage against the ministry, and would not allow them a reasonable time to do their duty. They now stand without excuse. Instead of employing the leisure they have had, in a strict examination of the offence, and punishing the offenders, they seem to have considered that indulgence, as a security to them, that with a little time and management the whole affair might be buried in silence and utterly forgotten.

A Major General of the army is arrested by the sheriff's officers for a considerable debt. He persuades them to conduct him to the Till Yard in St. James's Park, under some pretence of business, which it imported him to settle before he was confined. He applies to a Serjeant, not immediately on duty, to assist with some

of his companions in favouring his escape. He attempts it. A bustle ensues. The bailiffs claim their prisoner. An officer of the guards, not then on duty, takes part in the affair, applies to the lieutenant commanding the Tilt Yard Guard, and urges him to turn out his guard to relieve a general officer. The lieutenant declines interfering in person, but stands at a distance and suffers the business to be done. The other officer takes upon himself to order out the guard. In a moment they are in arms, quit their guard, march, rescue the General, and drive away the sheriff's officers, who in vain represent their right to the prisoner, and the nature of the arrest. The soldiers first conduct the General into their guard-room, then escort him to a place of safety; with bayonets fixed, and in all the forms of military triumph. I will not enlarge upon the various circumstances, which attended this atrocious proceeding. The personal injury, received by the officers of the law in the execution of their duty, may perhaps be atoned for by some private compensation. I consider nothing but the wound, which has been given to the law itself to which no remedy has been replied, no satisfaction made. Neither is it my design to dwell upon the misconduct of the parties concerned, any farther than is necessary to shew the behaviour of the ministry in its true light. I would make every compassionate allowance for the infatuation of the prisoner, the false and criminal discretion of one officer, and the madness of another. I would leave the ignorant soldiers entirely out of the question. They are certainly the least guilty, though they are the only persons who have yet suffered, even in the appearance of punishment. The fact itself, however atrocious, is not the principal point to be considered. It might have happened under a more regular government, and with guards better disciplined than ours. The main question is, in what manner have the ministry acted on this extraordinary occasion? A general officer calls upon the King's own Guard, then actually on duty, to rescue him from the laws of his country; yet at this moment he is in a situation no worse, than if he had not committed an offence, equally enormous in a civil and military view.—A lieutenant upon duty designedly quits his guard, and suffers it to be drawn out by another officer, for a purpose which he well knew (as we may collect from an appearance of caution which only makes his behaviour the more criminal) to be in the highest degree illegal. Has this gentleman been called to a Court Martial to answer for his conduct? No. Has it been censured? No.—Has it been in any shape enquired into? No.—Another lieutenant, not upon duty, nor even in his regimentals, is daring enough to order out the King's guard, over which he had properly no command, and engages them in a violation of the laws of his country, perhaps the most singular and extravagant that ever was attempted.—What punishment has he suffered? Literally none. Supposing he should be prosecuted at common law for the rescue, will that circumstance, from which the ministry can derive no merit, excuse or justify their suffering

so flagrant a breach of military discipline to pass by unpunished and unnoticed? Are they aware of the outrage offered to their sovereign, when his own proper guard, is ordered out, to stop, by main force, the execution of his laws? What are we to conclude from so scandalous a neglect of their duty, but that they have other views, which can only be answered by securing the attachment of the guards? The minister would hardly be so cautious of offending them, if he did not mean, in due time, to call for their assistance.

With respect to the parties themselves, let it be observed that these gentlemen are neither young officers, nor very young men. Had they belonged to the unsledged race of ensigns, who infest our streets, and dishonour our public places, it might perhaps be sufficient to send them back to that discipline, from which their parents, judging lightly from the maturity of their vices, had removed them too soon. In this case, I am sorry to see, not so much the folly of youth, as the spirit of the corps, and the connivance of government. I do not question that there are many brave and worthy officers in the regiments of guards. But considering them as a corps, I fear it will be found that they are neither good soldiers nor good subjects. Far be it from me to insinuate the most distant reflection upon the army. On the contrary, I honour and esteem the profession; and if these gentlemen were better soldiers, I am sure they would be better subjects. It is not that there is any internal vice or defect in the profession itself, as regulated in this country, but that it is the spirit of this particular corps to despise their profession, and that, while they vainly assume the lead of the army, they make it matter of impertinent comparison and triumph over the bravest troops in the world (I mean our marching regiments) that *they* indeed stand upon higher ground, and are privileged to neglect the laborious forms of military discipline and duty. Without dwelling longer upon a most invidious subject, I shall leave it to military men, who have seen a service more active than the parade, to determine whether or no I speak truth.

How far this dangerous spirit has been encouraged by government and to what pernicious purposes it may be applied hereafter, well deserves our most serious consideration. I know indeed, that when this affair happened, an affectation of alarm ran through the ministry. Something must be done to save appearances. The case was too flagrant to be passed by absolutely without notice. But how have they acted? Instead of ordering the officers concerned, and who, strictly speaking, are alone guilty, to be put under arrest and brought to a trial, they would have it understood, that they did their duty completely, in confining a serjeant and four private soldiers, until they should be demanded by the civil power; so that while the officers, who ordered or permitted the thing to be done, escape without censure, the poor men who obeyed those orders, who in a military view are no way responsible for what they did and who for that reason have been discharged by the civil magistrates, are the only objects whom the ministry have thought proper to expose to punishment. They did not venture to bring even these men to a court martial, because they knew their



their evidence would be fatal to some persons, whom they were determined to protect. Otherwise, I doubt not, the lives of these unhappy, friendless soldiers would long since have been sacrificed without scruple to the security of their guilty officers.

I have been accused of endeavouring to enflame the passions of the people.—Let me now appeal to their understanding. If there be any tool of administration daring enough to deny these facts, or shameless enough to defend the conduct of the ministry, let him come forward. I care not under what title he appears. He shall find me ready to maintain the truth of my narrative, and the justice of my observations upon it, at the hazard of my utmost credit with the public.

Under the most arbitrary governments, the common administration of justice is suffered to take its course. The subject, though robbed of his share in the legislature, is still protected by the laws. The political freedom of the English constitution was once the pride and honour of an Englishman. The civil equality of the laws preserved the property, and defended the safety of the subject. Are these glorious privileges the birthright of the people, or are we only tenants at the will of the ministry?—But that I know there is a spirit of resistance in the hearts of my countrymen, that they value life, not by its conveniencies, but by the independence and dignity of their condition, I should, at this moment, appeal only to their discretion. I should persuade them to banish from their minds all memory of what we were; I should tell them this is not a time to remember that we were Englishmen; and give it as my last advice, to make some early agreement with the minister, that since it has pleased him to rob us of those political rights, which once distinguished the inhabitants of a country, where honour was happiness, he would leave us at least the humble, obedient security of citizens, and graciously condescend to protect us in our submission.

JUNIUS.

The following petition to the King was delivered into his Majesty's own hands, the 5th of last month, by Mr. Allen.

To his MAJESTY.

*The humble Petition of William Allen, the disconsolate father of William Allen, who was barbarously murdered on the 10th of May, 1768.*

Most gracious Sovereign,

**Y**OUR petitioner thinks it his duty to lay before your Majesty, with great humility, a short account of the unprovoked and outrageous murder committed by a Scotch officer, and three soldiers of the same regiment, upon the innocent body of your petitioner's only son; a youth, that all who knew him are ready to attest, was perfectly sober, temperate, humane, dutiful to his parents, and a sincere lover and worshipper of his God. It was a murder of so complicated a dye, and attended by so many barbarous and cruel circumstances as can hardly be paralleled in any former age, and complicated

is a disgrace to the present, which was proved to a demonstration, before an honest impartial jury summoned by the coroner, and the officer and soldiers brought in guilty of wilful murder; yet, by the powerful interposition of the great, and the artful and sinister means of some of your Majesty's justices, who ordered the soldiers to fire, and suffered one of the murderers to make his escape, and the others have been screened from the punishment they so justly deserved; and as your petitioner has been informed, some of them rewarded for committing this most execrable crime.

That if your most gracious Majesty, the father of your people, would permit your unhappy petitioner to lay the whole state of his case, before you, he is well persuaded your majesty's fatherly heart would sympathise with the still bleeding agonies of the disconsolate parents of so amiable a child, snatched from them by the hands of ruffians, in the bloom of youth and innocence; of a daughter who did not long survive the untimely death of her beloved brother, and of a most afflicted mother, who, (tho' still alive) incessantly moans and weeps over the cruel death of the best of children, and cannot be comforted. Your Majesty can never be offended with your most afflicted petitioner for applying to your Majesty for justice against the cruel murderers of his beloved child, whose blood cries aloud for vengeance.

Your Majesty's petitioner has spent a very large sum of money in the prosecution of the perpetrators of this most horrid crime, and though this prosecution was carried on in your Majesty's name, yet it is a notorious fact, that your Majesty's counsel, solicitor, and agents for the treasury were employed against me, appeared publicly at the assizes, and by all other arbitrary acts; rendered every effort of your poor petitioner vain and insignificant, to the astonishment of all unbiassed hearers who attended that trial. Your petitioner, therefore, has no hopes of justice but from your majesty: he has, indeed, this consolation left, that he proved by incontestable evidence that his son was innocent, and that he was not in the fields that fatal day; neither had he given the least offence to any person whatsoever; that he was employed in his own business to the very minute of his being killed adjoining his father's own premises; that neither his natural temper nor inoffensive behaviour ever tempted him to mix with ill-disposed persons in any private or public disturbance of any kind, and was so remarkably harmless and mild, that he haeh in these particulars hardly left his equal; for the truth of which facts, your petitioner appeals to all that knew him.

It is humbly hoped, your Majesty will pardon the length of this petition, laid before you by the most disconsolate father of a murdered child, who now, with tears in his eyes, and a bleeding heart, lies prostrate at your Majesty's feet, meekly and humbly imploring your compassion and justice, equally due to the meanest of your subjects.

Your petitioner, therefore most humbly beseeches your Majesty, to take the premises into your royal consideration, and to issue out your

your proclamation for apprehending the perpetrators of this horrid crime, which may still be useful, though it is a year and three months since the commission of the fact, that they may be brought to a fair trial, when your petitioner will be ready to prove what he has asserted, or in any other way or method that your Majesty in your great wisdom and justice shall think most proper, and your petitioner shall for ever pray for the ease, happiness, and prosperity of your Majesty's royal person and posterity.

WILLIAM ALLEN.

## AN IMPARTIAL REVIEW OF NEW BOOKS.

*Letters to the Right Honourable the Earl of Hillsborough, from Governor Bernard, General Gage, and the honourable his Majesty's Council for the Province of Massachusetts Bay, with an Appendix containing divers Proceedings referred to in the said Letters.*

*Boston: Printed by Edes and Gill, Printers to the Honourable House of Representatives 1769, and London, Reprinted for J. Almon.*

THIS collection of authentic letters and papers is a most valuable acquisition to the public in general; but more particularly, to all the friends of liberty, and to such of the British subjects as wish well to their brethren in New England, or are connected with them in commerce. It gives a striking picture on the one hand of the forcible, but unsuccessful efforts of despotism, to subjugate a virtuous, sober, industrious, trading people to its arbitrary will; and on the other, of the happy consequences of union, intrepidity and manly perseverance exerted in defence of the rights and privileges of a free-born people. After the most candid and diligent perusal of this performance, the author of this review, thinks himself justifiable in asserting, that the council and the house of representatives for the province of Massachusetts-bay, have fully acquitted themselves of all the ill-grounded charges maliciously brought against them by their adversaries; and that unless any further misrepresentations of their conduct are credited, we have all the reason in the world to imagine, that the most conciliating measures must speedily be taken to restore that harmony between the government and the people of New England, which subsisted before the fatal introduction of acts of the British parliament into our colonies, imposing taxes for the sole purpose of raising a revenue.

That the people of New England may not be thought too severe in their behaviour to Governor Bernard, it is necessary to premise, that however convinced they may have been that he acted latterly by superior order, it was not their business to look further than to their governor, from whom they had a right to expect such a representation of their grievances, as would induce administration, at home to relax in their favour, and to send him instructions to govern them with lenity, on the principles of freedom and equity. So far from acting in this gracious manner, his letters are here exhibited as so many proofs of his misrepresentation and partial accounts of the situation of affairs at Bolton.

The best method of stating the merits of the cause between the Bostonians and their governor, will be, to extract such passages from the governor's letters as were deemed by them highly exceptionable—and then to give their objections, as they arise in their order, to the several passages extracted.

November 1, 1768. Governor Bernard writes to Lord Hillsborough, "That he now proceeds to conclude his narrative of his endeavours to get quarters for the King's troops untill he found himself at *the end of his string* and could do nothing more. His account of the endeavours he made before he came to the end of his string, runs thus;

"On Saturday October 15, General Gage arrived here with his officers to look to the quartering the troops himself. On Monday I called a council in the morning and introduced the general. He told them that he was resolved to quarter the two regiments now here in the town, and demanded quarters; and that he should reserve the barracks at the castle for the Irish regiments or such part of them as they would contain, which has since been determined to be only one regiment. After the general had test the board I sat at it till eight o'clock at night, (two hours after dinner only excepted.) The whole was a scene of perversion, to avoid their doing any thing towards quartering the troops, unworthy of such a body. In the course of the questions I put to them, they denied that they knew of any building belonging to the province in the town of Boston that was proper to be fitted up for barracks, and they denied that the manufactory house was such a building. This was so notoriously contrary to truth, that some gentlemen expressed their concern that it should remain upon the minutes, and to induce me to consent to its been expunged, a motion was made in writing that the governor be desired to order the manufactory house to be cleared of its present inhabitants, that it might be fitted up for the reception of such part of the two Irish regiments as could not be accommodated at the castle barracks. This was violently opposed, but was carried in the affirmative, six to five. Upon this, I ordered the former answers to be expunged. This resolution amounting to an assignment of the castle barracks for the Irish regiments effectually put an end to the objection before made, that no quarters were due in town until the castle barracks were filled. The next thing to be done was, to clear the manufactory house, the preventing of which was a great object of *the sons of liberty*. For this purpose, about six or seven weeks before, when the report of troops coming here was first confirmed, all kinds of people were thrust into this building, and the workhouse itself was opened, and the people confined there were permitted to go into the manufactory house. This was admitted to be true, in council, by one of the board who is an overseer of the poor and a principal therein. And after the order of council was known, several of the chiefs of the faction went into the manufactory house, advised the people there to keep possession against the governor's order, and promised them support. And when some of them signified their intention

to

to quit the house, they were told that if they quitted the house they must quit the town, for they would be killed if they staid in it. I had the advice of the best lawyers that according to the law and usage of this country, the owners of an house occupied by tenants at sufferance, or wrongful possessors might enter by any means they could, and turn them out of possessors, without bringing an action. It was also certain that the governor and council when the assembly was not sitting, were perfect owners of the estates belonging to the province, except for alienation. Upon these two principles I appointed the sheriff and two of his deputies, bailiffs of the governor, and council, for the purpose of removing the people out of the manufactory house. The sheriff was refused admittance; upon which the chief justice went with him and advised them to give up the house, he was answered that they had the opinion of the best lawyer in the province to keep possession. Upon a third attempt, the sheriff finding a window open, entered; upon which the people gathered about him, and shut him up; he then made a signal to an officer without, who brought a party of soldiers, who took possession of the yard of the building and relieved the sheriff from his confinement. This occasioned a great mob to assemble, with some of the chiefs of the faction, they were very abusive against the soldiers, but no mischief was done. They kept the house blockaded all that day, and best part of the next day. When some of the council declaring it was not intended to use force, though they knew it could not be done without, and the building not being immediately wanted, the soldiers were withdrawn on the evening of the second day. Thus the building belonging to the government, and assigned by the governor and council for his Majesty's use, is kept filled with the outcasts of the workhouse and the scum of the town, to prevent its being used for the accommodation of the King's troops." The remainder of this letter contains an account of the governor's proceedings independent of the council, with whom he says he found nothing could be done, till he had billeted the soldiers in the public houses as far as they would go; the council he observes, left this business to him alone without offering their assistance. "Indeed I did not ask them, as I did not think the business would be forwarded by associating them." The justices of the peace having in the next place refused to billet the troops, the governor was at length reduced to the necessity of acting under a special commission received from his Majesty, commanding him to take every necessary step for the accommodation of the King's troops, and in virtue thereof he appointed a person to place the said two regiments in such buildings and houses as could be procured at the expence of the crown with the consent of the owners,——Thus ended the business of quartering the two regiments.

The council of the province of Massachusetts-Bay in vindication of themselves and the province, against the calumnies and misrepresentations of their governor, make the following observations on this letter, in their's to Lord Hillsborough dated April 15, 1769.

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They open the business of their letter to his lordship in very spirited, manly, decent terms, and they charge Governor Bernard not only with divers misrepresentations of their conduct and many unjust reflections in his six letters to his lordship, authentic copies of which they had procured from London, but also with a design to bring about an alteration in the civil government of the province; for which reasons they are obliged in justice to themselves and the province, to address his lordship on the subject matter of those letters, and to pray his candid attention to what they have the honour to write to him.

“ In the first of these letters dated November 1, 1768. Governor Bernard informs your lordship he now proceeds to conclude his narrative of his endeavours to get quarters for the King’s troops. The preceding part of this narrative we have not seen, but if there be in it the same want of candour as is discoverable in the concluding part, contained in the said letter, it is necessary for your lordship’s right information, to give you our narrative on the same subject.”

They then proceed to shew, that from the 19th September, when the notice was first communicated to them that two regiments were expected from Halifax and two from Ireland, to the said first of November, they had done every thing in their power, without delay, to provide quarters for the said regiments pursuant to act of parliament, and that the governor wanted them to take measures directly contrary to act of parliament, which they could not think themselves justified to do. And they observe that it was very unfortunate to the province, and to his Majesty’s service in general, that the general assembly of the province could not be sitting while this affair was in agitation, and at a time when their aid was so essentially necessary. We now come to the conclusion of the governor’s narrative of November 1.

“ It appears by the said letter, the general demanded quarters in the town for the two regiments then here, and said that he should reserve the barracks at the castle for the two Irish regiments expected, or such part of them as they would contain. This happened October 15, when the council represented to the governor, that they had already given their sentiments in their answer delivered to him on the 24th of September to which they referred him, but this not being satisfactory, they desired to postpone the affair to the 26th, when a full council was by his order appointed to meet. This was refused——whereupon the governor proceeded, as he observes, in a course of questions which finally issued in a vote, that the governor be desired to order the manufactory-house to be cleared of its present inhabitants that it might be fitted up for the reception of such part of the Irish regiments as could not be accommodated at the castle barracks. On this affair the governor observes, that the whole was a scene of perversion to avoid ordering any thing towards quartering the troops, &c. We deny that any thing was done to avoid quartering the troops; on the contrary every thing was done in the power of the council consistent with their ideas of the act of parliament; and consistent with the governor’s idea of it on the 19th of September, when the affair of quartering was first moved.” Here they quote  
along

a long and striking instance of Mr. Bernard's duplicity, who at one time, pleaded ignorance of the act, and at another wanted to set it aside. His declaring that he did not know of such an act—— (the act respecting the quartering and billeting of soldiers,) they maintain must have been wilful ignorance, as it had been reprinted at Boston and inserted in the province law-book, which could not have been done without his knowledge and direction.

The next observation they make, demonstrates that their governor possesses a mean spirit of malice and low revenge. He expunges from the minutes, the assertion that some gentlemen had made, that the manufactory house was not a proper building for barracks, at the request of the council, but he takes care to publish the private sentiments of those gentlemen to all the world, by transmitting them to Lord Hillsborough. But the council still deny that the manufactory house was proper to be stately used for barracks, though in that exigency they consented it should be improved for that purpose.

As to that part of the governor's letter which mentions that all kinds of people had been thrust into this building, &c.——the representation is wholly without foundation, Mr. Tyler overseer of the poor and a member of the council, told the governor in council when he mentioned it, that there was no truth in it, and that he had been greatly imposed on by his informers, and the council refer his lordship to the deposition of Mr. Tyler and the other overseers,——which deposition is given in the appendix to this publication, and refutes the governor's representation so fully, that the council may retort his own words upon him—— (and say it was unworthy of him.) In a word, his account of sending people from the workhouse to the manufactory-house is a notorious falsehood, and as he was apprized so early as the 17th of October that he had been misinformed, if he had valued his reputation, he should have been fully convinced of the truth of such a *fact*, before he had dared to transmit it to Lord Hillsborough.

The governor's letter of November 5, is wholly taken up with censuring the conduct of the council with regard to the proposed return of the commissioners of the customs to Boston, and the representation of the behavior of those officers, given by the council in their address to General Gage praying him to withdraw the troops. To this letter they give a very full reply, stating the whole of their conduct respecting the said commissioners and giving a circumstantial account of the disturbances that happened on the 18th of March, and on the 10th of June, which were called the riots in Boston and furnished the pretences for sending a military force there. By this account, it plainly appears that the insolent, peremptory behavior of the custom house officers occasioned the tumults, and that they voluntarily and artfully left the town with a view to encrease the prejudices that government had already entertained against the inhabitants. One very particular circumstance is mentioned by the council concerning the riot of the 10th of June, which is, that the morning after it happened, the governor, with the advice of the council, appointed a committee of such members of the board as  
were

were qualified to act as justices of the peace in the county of Suffolk, to make enquiry into the particular facts as soon as may be, and report to the governor in council, that so they might take proper measures on so interesting an occasion, and the governor desired the committee to meet him on Monday morning, in order with him, to proceed on the enquiry: but that morning, instead of proceeding on the enquiry, he postponed it as appears by the council minutes, and never after resumed it. The council think it not uncharitable to suppose the reason of dropping this enquiry was, that there might not arise any contradiction between the depositions given in on this joint enquiry, and those which Bernard had taken separately and had enclosed in a letter to Lord Hillsborough dated June 14.——This conduct they say argued a disposition in him to represent things in the worst light.

His letter dated November 12, relates to his admonishing the justices of the peace, in consequence of a letter from Lord Hillsborough——which we may suppose censured the conduct of the justices on the affair of the riot, and it is a great pity the editor of the letters and papers we are now reviewing, had not added to them, such parts of Lord Hillsborough's letters to Mr. Bernard as they were permitted to take copies of——the governor says, that on this occasion he thought of a letter from himself to the justices of Boston, and accordingly drew up one, and communicated it to the council, proposing, if it had their approbation, to call the justices together, and deliver it to them by word of mouth, and then give them copies of it. "But though no exceptions were taken to particulars, the whole was objected to strongly for this reason, that if they were to consent to this letter, they should appear to approve of the censures your lordship has passed upon the town, which they would not admit it had deserved." He observes afterwards, that finding he could make nothing of them, council, but passive associates, he determined that he would admonish the justices of his own accord before the council, but without their interfering, this was accordingly done——and this extraordinary letter concludes with accusing the council of a servility to the people, never observable in former councils, intimating also that one of the members had declared he did not enter the council chamber with that free mind he used to have, on this account.

The council in reply to this letter, remark to lord Hillsborough, that they apprehended it highly proper that before the justices were censured, they should be informed of the charges against them and heard in their defence: and their refusal to act in this business before such information and hearing was the cause of their being thus grossly misrepresented by the governor. As to the servility to the people which he complains of, the council declare this character does not belong to them, and that if it should, they will not add to the indignity of it by any act of servility to his excellency, they farther declare that one of their body did say, that he did not enter into the council chamber with the same pleasure as  
formerly



formerly but he assigned a very different reason for it than that given by the governor——the angry disputes which had subsisted for some time between the governor and the council.

We are now to review a letter dated November 14, which makes good the charge brought by the council against Mr. Bernard, now Sir Francis, that he intended to introduce alterations in the civil government of the province of Massachusetts-Bay. He sets out with two proposals for reforming the bench of justices, first, by adding new members to the present bench, either by engaging gentlemen already in the commission to qualify themselves, or by granting new commissions to fit persons who will undertake to act, secondly, by removing such persons in the commission as are known to be disaffected to the constitutional authority of the British parliament. The first of these schemes he admits is practicable in both its branches, but the second at present wholly impracticable, and will remain so while the council make the humouring the people their chief object. In the pursuit of this subject the governor laments it as a defect in that government, that the King should not have a power to supersede commissions granted in his name and under his seal, and one of the innovations he wants to effect is, that the King should be enabled, by order in his privy council, to supersede such commissions when they shall appear to be granted to improper persons, or made use of for improper purposes. To attain this, he advises an act of parliament, and all the reason that we meet with in support of this proposed unconstitutional measure is, that truly some justices of peace did not think because they bore the King's commission, that therefore they were obliged to degrade themselves by a vile servility to the despotic commands of his excellency Governor Bernard, or basely to desert the cause of liberty and the rights of the people to please him. He concludes with informing Lord Hillsborough, that the colonies are endeavouring to get the judges commissions, during good behavior, and should they prevail, he advises that the King and council should be empowered to judge and determine upon such misbehavior as would vacate the commission. In short, this true Butean governor, like his masters at home, seems to watch every motion of the people, with the mischievous view of crossing their inclinations in every point——But it must not be forgot at the same time, that the root of this evil disposition is a selfish ambitious design to establish uncontrouled arbitrary power. The King's prerogative and authority is the ladder by which they hope to ascend to the summit of earthly ambition, but all who aim at it, are not so open in the avowal of their plan as Sir Francis Bernard who though he writes on many occasions that he is at the end of his tether, seems to know no end of this rope——Would to heaven it were enough to hang him!

The council in their remarks upon this letter, pass over the abusive reflections, and adhere to the point about superseding commissions. If say they, it is a defect in the government that the King has no power over commissions granted in his name and under his seal, there is a similar defect in England, with regard to

similar

similar commissions. But your lordship is sensible, this is so far from being a defect with respect to some commissions, particularly those of the judges, that the King having no power over them, is esteemed the strongest security to the liberties and property of the subject. The removal of the pretended defect here, would put all the judges, justices and other civil officers under the power of a governor, whose power already if a good governor, is apprehended to be sufficiently extensive; and if an arbitrary and oppressive one, much too extensive." They further add, that admitting the council should be in the interest of the people and screen a magistrate or refuse to pass a censure upon him at the request of the governor, it is much better that should happen, than to entrust a governor at a thousand leagues distant from the throne, with the power aimed at by Mr. Bernard.

The governor's letter of the 30th November, is on the subject of a conversation between him and Mr. Bowdoin, on a part of the council's petition to his Majesty. To this the council leave Mr. Bowdoin to reply, who in a letter to Lord Hillsborough convicts Mr. Bernard of the most puerile misrepresentation imaginable, if any thing can be called puerile that has a malicious tendency.

The letter of December 5, the last of these dark scrolls, gives an account of the proceedings of the council, in preparing petitions to both houses of parliament against the American acts of revenue——From this business it seems he would have dissuaded them, but they persisted. Lord Hillsborough is likewise informed by this accurate letter writer, that the petition is very *lengthy*, and was a measure rather submitted to, than joined in, by the majority of the council &c.

On this letter the council makes the following sensible remarks, that it is calculated to frustrate the petitions and to give Lord Hillsborough a wrong idea of many of the circumstances attending the agreeing on them. And that they thought till the receipt of this letter of his, that the whole of their conduct in this matter, at least, was in no instance excepted to by him; but they have found themselves mistaken. They then relate the origin of these petitions, which arose from another misprision of Mr. Bernard's who who had construed the word *draw* in their petition to his Majesty, in a very different sense from what he knew the council intended by it. The governor had represented that they meant only to pray his Majesty not to suffer the revenue money *to be drawn*, or sent from America, they were therefore under a necessity to frame these petitions to obviate this wilful misconstruction, and to demonstrate that they prayed for a repeal of all those acts which were made to draw a revenue, that is to say to raise a revenue from America. And as the whole of this groundless misrepresentation arose from a conversation between Mr. Bernard and Mr. Bowdoin, the latter wrote to Lord Hillsborough on the subject, as has been already observed.

The council conclude their observations on these six letters in these words. "And now my lord, having given your lordship a general account of our proceedings, in which we have acted (in a manner

a manner his Majesty expects we should act) agreeable to our oaths and consciences; and with an unremitting regard for his service, honour and government, we humbly beg leave to express our deep sorrow and distress on account of his Majesty's displeasure, which the town and province at present experience. The dissolution of the general court—the ships of war stationed here—troops in possession of the town—the precautions taken to prevent any intelligence coming hither of the embarking of the troops from Halifax, and the circumstances attending their landing here, as if in an enemy's country—all indicate the frowns and displeasure of his Majesty. Upon the whole, my lord, we are constrained to say that Governor Bernard's great aim, as appear by his letters, is, the destruction of our constitution, derived to us by charter and as Englishmen, and that he hath stuck at nothing to effect this purpose. A constitution dearly purchased by our ancestors, and dear to us, and which we persuade ourselves will be continued to us notwithstanding the representations in his letters; the truth of which depends solely upon his own averment. Their letter closes with a prayer that Governor Bernard may be removed, as people of all ranks in the province have lost all confidence in him, so that the King's service cannot be properly pursued under his administration.

General Gage's letter to Lord Hillsborough on the subject of quartering the troops is inserted in this collection immediately after the six letters of Governor Bernard's; on this letter the council observe, that the General did not shew that candour which was expected from his general character, for he steps out of his line, to give characters, and to represent the province as in a state of democracy, so that it was out of the power of the governor to remedy the disorders which happen in it. The appendix contains an abstract of all the proceedings of the governor and council from the 30th of June 1768, to the 15th of April 1769, relative to the several subjects of Bernard's letters, and are in fact, the trial and condemnation of the writer of them. To these are added Mr. Bollan's petition to the house of commons which was presented by Alderman Beckford on the 25th January 1769, with an account of its rejection, in a letter from the said Mr. Bollan to the council dated at London, January 30th, 1769. This petition is truly interesting and explains the constitution of the colonies; but it is too prolix to find a place in our work, we can therefore only recommend the perusal of it, to all the friends of political freedom.

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*Dr. Musgrave's Reply to a Letter published in the News Papers by the Chevalier D'Eon. Printed for the Benefit of the Charity School at Plymouth, and sold by J. WILKIE 8vo. 1s.*

**T**HIS valuable pamphlet is occasioned by the letter which the Chevalier D'Eon published with a view to invalidate the facts laid before the freeholders of the county of Devon by Dr. Musgrave in his address to them. For the address and letter, our readers will be pleased to refer to the Register for last month pages 206. and 210.

Great were the expectations of the public on reading the advertisement of the intended publication of this reply, and not a few were greatly disappointed in not finding the charge supported a-

gainst the parties accused of having betrayed their country by selling the late peace to the French. A want of proper attention to the only point proposed by the Doctor, occasioned this disappointment, and in order to satisfy all those who looked for more in the reply than they had a right to expect, we think it necessary to quote one passage from the address. "It must not be understood, that I can myself support a charge of corruption against the noble lords named in my information. My complaint is of a different nature, and against a different person. I consider the refusal of Lord Halifax as a wilful obstruction of national justice, for which I wish to see him undergo a suitable punishment." This is all the grievance the Doctor has to lay before the freeholders, and it is all the information he pretends to give to the public in general.

The evidence of the treasonable act itself, and the discovery of the three persons concerned in it, he tells you rests on the procuring certain papers, which were in the possession of the Chevalier D'Eon at the time Dr. Musgrave judiciously laid his important informations before Lord Halifax. And we cannot help noticing a very striking contrast in the political conduct of this nobleman when in office. He could grant an illegal warrant by which the papers of a British subject, nay of a British member of parliament were seized, and commit the greatest error in judgment, if not a wilful one in equity, that no time might be lost in getting possession of these papers. Yet he could proceed by slow delays, and at length totally give up all enquiry into an affair of the utmost importance to the nation, without taking any one step to secure the papers of a foreigner whose character was dubious, and whose conduct had been already treacherous in transactions relative to the public affairs of his own country, and from whom therefore, there was the greatest reason to expect such a material discovery either through fear on the seizure of his person and papers suddenly, or through interest, if he could find the means of living in ease and affluence in this country, for a voluntary sacrifice of the secrets of his own. No better argument could possibly be given to urge Lord Halifax to a vigorous and expeditious enquiry into this matter, than the known disposition of the Chevalier to secure himself the protection of the British ministry, and a genteel pension for life.

Doctor Musgrave's reply lays open all the selfish operations of the Chevalier, till he had gained this point, and it fully appears that it was immaterial to him, whether he accomplished it, by betraying the negotiators of the peace on both sides of the water, if a patriotic minister had been found in England to countenance his discoveries——or by selling his papers to the parties concerned, whose interest it was to bury the whole affair in eternal oblivion. Upon the strongest presumptive evidence we have authority to declare, that the Chevalier finding the persons to whom he first applied had not the love of their country so much at heart as to make him proper satisfaction for betraying French, Scotch and English intrigues; saw himself reduced to the necessity of compromising matters with the principal agents of the late peace; and to deliver up his papers to the guilty Thane. The Doctor observes that he should not have thought D'Eon's denial of the overtures he referred to worth notice, if he had not at the same time insu-

ated that he had once before given a direct contradiction to this report. In order to prove that the Chevalier never did deny the report——Dr. Musgrave quotes an advertisement which he ordered to be inserted in the St. James's Chronicle in the month of September 1766; which advertisement is as he says, a direct challenge to all parties concerned to contradict it; for he therein proposes to publish, dedicated to the parliament, the whole of the information he had received relative to the sale of the late peace to the French, and his proceedings thereon: he likewise particularly specifies an account of the overtures made by the Chevalier D'Eon to impeach three persons by name, of the said infamous transaction. The only notice that was taken of this advertisement, though repeated three times, was by the Chevalier D'Eon, whose letter to the printer of the same paper amounts to no more than a disavowal or rather a notice, that he has no hand directly or indirectly in the proposed publication.

But in the month of December 1767, a letter appears in the St. James's Chronicle signed indeed *Candidus*, but the public will readily guess the real author was the Chevalier. This letter the Doctor cites to account for the Chevalier's sentiments in the present year 1769. It is a very remarkable one, and the plain tenor of it is——who will buy my papers? What other construction can be put on the following passages.

“ In return, it is said, the papers remaining with him relative to the peace are ready to be delivered up entire, *unfalsified* by the least view or inspection of any one but himself. A matter of that importance should not, perhaps, be delayed a moment, as accidents may happen, which might make such a delay of great prejudice to both nations.”

“ What pity, instead of doing such justice long ago, and receiving then those papers, as was offered in the most reasonable and equitable terms——Horrible machinations were formed to seize them by violence, &c. &c.”——The great Scot is a thorough Machiavel, he first attempts to destroy all who annoy him, but that failing he then attempts to make his work as sure by bribery. We would not give the whole of this letter, for as the pamphlet is printed for a charitable use, it would not be right to plunder it of its essence——we rather wish to promote the perusal of such an interesting performance. In all human probability soon after the appearance of this advertisement, the Chevalier received his quietus, and the Thane once more saved his Judas head by getting possession of these papers. He had found it impracticable to get the Chevalier forcibly carried over to France where the wheel would have silenced him; and this letter in a news paper shewed him resolute and desperate, therefore the Scot thought it high time to make the best bargain he could, and to stipulate as a condition for a pension, that the Chevalier should publicly disavow his ever having had such papers in possession, in case any future stir should be made about them. The Doctor very shrewdly remarks, that soon after the publication of this letter, D'Eon who had skulked up and down in different parts of the kingdom concealing his name and place of abode, lest he should be kidnapped to France, appeared again in public, passed by his own name and

made some excursions into the country, particularly into Cornwall where the Doctor saw him. Nothing can be plainer than that the ministry in France, and our peace brokers here, had signed a definitive treaty with the Chevalier greatly to his advantage. After all, if these important papers are thus irrecoverably lost, says the Doctor, what satisfaction can the nation have for its most material injuries. He proposes a plan for which the present ministry have furnished him a precedent. We shall give his scheme in his own words.

“ It is well known, in how precipitate a manner, the preliminaries of the peace were approved by the late house of commons, that the articles were not suffered to be debated one by one, notwithstanding the great variety of matter that each of them afforded for discussion, and the evident impossibility, that country gentlemen, or indeed any gentlemen could be previously acquainted with the several ties, dependencies and relations of so many distant states and colonies. Instead of this candid and sober method, strongly contended for by the minority, the house cut short all deliberation and voted an immediate approbation of the terms. What reason then can be alleged, why so precipitate a vote, carried by a majority, that shut their ears against argument, should not immediately be *rescinded*. After which, the merits of the peace may be again brought upon the carpet, as new matter, not yet prejudged by parliament. For the rescinding it, there is this further plea, that since that time reasonable ground has appeared to imagine, that however the vote was procured, the vitals of government, the very sources of our political life were at that time poisoned. It appears probable too, that formal proof of this was once offered and rejected, and that afterwards, the evidences and documents appealed to in confirmation of it, having been in vain attempted by force, were surrendered by agreement.

Is it possible for treason to smell ranker than this? And shall we suffer suspected persons to be protected in these circumstances by an act of their own contrivance and suggestion? Shall the vote of approbation continue to operate in their favour, and shall the manifold grounds of suspicion that have arisen since, have no operation against them?”

In answer to the worthy Doctor, we must observe, that it may possibly be impracticable for one parliament to rescind the vote of another; if his idea of rescinding arose from the peremptory order sent by the ministry to the general assembly at Boston to rescind one of their votes, he should remember that it was the same assembly which passed the vote, that was required to rescind it. But we question, if the present parliament has a power to rescind a vote of the last, on the contrary, we are pretty certain they cannot: but we join issue with him in lamenting the loss of D'Eon's papers, and in declaring, that Lord Halifax, appears to have been guilty of an unpardonable neglect of duty.

*A Correspondent has favoured us with the following Letter relative to a Pamphlet printed this Year at Edinburgh, and sold at London by J. Knox in the Strand.*

S I R, *To the Editor of the Political Register.*

**I**N your impartial review of new books, you have omitted a very curious pamphlet printed at Edinburgh, which at first

right has not indeed the least appearance of a political work; and I suppose for that reason, you passed it over in silence; you will permit therefore for once to perform the office of reviewer for you, and give you an account of a publication intitled, "An enquiry whether the Study of the ancient languages be a necessary branch of modern education, wherein by the way, some observations are made on a late performance, intitled, Essays on the origin of Colleges, of the custom of Lecturing in Latin, &c. printed at Glasgow",

The author of the enquiry whether the study of the ancient languages be a necessary branch of modern education, takes notice, that what suggested to him the design of this performance was, the introducing into the essay on the origin of Colleges, some observations with regard to ancient literature no way connected with the subject of them. There was little danger indeed, says he, to be apprehended from these essays considered in themselves; but when taken in conjunction with the opinions and circumstances of the present age, their effects, might have been far from inconsiderable. A weak stroke which hits a tender or diseased part, may do more harm, than one of incomparably greater force, which falls on a sound, or less delicate member.

In the first chapter of this ingenious performance, an observation is thrown out that wears the air of novelty, but is certainly, founded in truth. It is this, that philosophy is not exempted from the authority of fashion; and she exerts her power not only over the opinions which mankind embrace with regard to any one branch of science, but is still more conspicuous in determining the relative importance of the different branches of learning, and in turning the attention of philosophers to this or that science, according as she deigns to countenance the one or the other. Hence he accounts for the several changes that have happened in the state of literature in different countries at several periods. And for repeated variations of taste in all ages. He then glances at the change of opinion which has prevailed of late years in Scotland with regard to the merit of the Greek and Latin authors, and says that from insinuations thrown out, that we are at too much pains to acquire a knowledge of the ancient languages, bad consequences have ensued to the prejudice of ancient learning, and alterations have been produced in their universities which were made with reluctance. This introduces the author of the essays on the origin of colleges, whom he accuses of an intention not only to destroy the ancient languages simply, but with disgrace and infamy. Our author then proceeds to facts, and demonstrates from a review of ancient and modern history, that the study of the Greek and Latin authors has in all ages been attended with good taste, and that on the contrary, with the decay of ancient learning, just taste and fine writing have likewise decayed. With respect to the several countries of Europe he gives the most instructive and entertaining account of the progress and decline of ancient learning, and among other curious circumstances, we have the following anecdote. "That the monks to whom all learning in Europe was confined several centuries ago, with a view to establish their own dignity and importance, not only taught *in propria voce*, but were assiduous in copying over the books which

had been composed by the schools divines. But as manufactures of every kind were then unknown, or neglected, the monks were frequently at a loss for parchments to copy on, which like other materials for the purpose of writing, appears to have been remarkably scarce in those days. To supply this defect, they erased the characters from those Latin or Greek books which were in their hands, and appeared to them useless or insignificant. In the room of the ancient characters they substituted their legendary tales, superstitious prayers, or scholastic discourses. Several of these books are still to be seen in the popish countries of Europe; and what is hardly to be credited, the admirable fragments of Greece and Rome have sometimes been applied as coverings to the most superstitious, ridiculous, and absurd performances, that were ever produced by the brain of a monk."

Having given a deduction of facts by which it appears, that the taste of the modern nations of Europe has revived or decayed along with the study of the Greek and Roman virtues, we enter upon more important observations: from considering the particular circumstances of those countries where learning flourished in ancient times, we are led to animadvert on our author's grand inquiry in a political light, for by reviewing the flourishing state of literature in the independent states of ancient Greece, we find this infallible maxim: That *liberty* is of the utmost consequence to the progress of all branches of learning—and from the decay of ancient learning by the corruption of taste in modern states, we discover that a decay of liberty and a depravity of manners, has been speedily introduced, wherever such decay has happened. Another reflection also arises from the history of former times—that ancient learning is the best defence against the inevitable effects of commerce and riches. Commerce cannot subsist without improvement in arts and manufactures, which supposes dexterity, skill and expedition in those who are employed in them, and these can never be attained unless each individual be tied down to one branch of art. This branch he becomes perfectly master of, but every thing beyond it, is to him a mystery. And thus commerce, while it enlarges our possessions, debases our minds, cramps our genius, and confines our understandings. These effects are not confined to the lower ranks of men, they extend to every member of a commercial state. Now, can any thing be conceived more proper for opposing them, than bringing us acquainted with the ancient state of the world, presenting us with a picture of nations among whom our manners were as much unknown, as the avarice which inspires them: nations that made Tigranes cry out, "Heavens! with what enemies have we to do! insensible to interest, they fight only for glory!"

"But there is a worse disease still introduced by commerce, which too may, in a great measure, be remedied by a familiarity with ancient sentiments. By examining the history of all nations upon the face of the earth, we shall find, that an high advancement in commerce, has ever been attended with a loss of martial spirit. It has always been found necessary, therefore, in such nations, to establish mercenary standing armies, in order to de-



send the inhabitants against the attempts of their more warlike neighbours. Upon these armies the safety of commercial countries entirely depends. But what is the reason that the inhabitants of such countries are so little able on any sudden emergency to take upon them the military character, and to make a stand for their own defence? The lower people are not worse fed or clothed, they are not more feeble or sickly than they were in former ages. But both the lower ranks, and those who should command them, want that heart and spirit, which is the life and soul of all military operations. How shall we inspire them with courage? By making soldiers of the greatest part? Then we lose our commerce, and give up one advantage for another. But if there be any method which may give us both advantages, I think it is by keeping fresh in their minds the great examples of prowess and bravery, which the history of ancient nations affords us. These are to be preferred to any which modern times can boast of, because they are frequently recounted by those who performed them, and with that circumstantial minuteness which alone can affect the passions and the heart."

An acquaintance with antiquity will likewise prove a specific antidote against the gross luxury, and giddy dissipation, which is every day gaining ground in this country. The patriotism of their statesmen does not more disgrace our venality and corruption, than the purity of their philosophical maxims, the honest simplicity and amiable candour of their whole lives and demeanour, disgraces

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These, Sir, are great motives urged in behalf of a steady attachment to, and zeal for ancient learning, but what more immediately induced me to desire a place in your register for my remarks on this laudable performance, was the following glorious observation, which does the highest honour to its author; and is one instance amongst many, to shew how idle and illiberal it is in Englishmen to imagine, that their brethren the natives of North Britain are less sensible to the feelings of humanity and to the common rights of mankind than themselves. Hear a North Briton's noble sentiments on the public cause of freedom—

"There is still another observation which deserves attention. It is generally believed that the British government has a tendency towards absolute monarchy. This opinion is justified by many strong arguments; and from the licentiousness of some past years, as mankind run from one extreme to another, it is rendered more probable than ever. If then, this opinion be true, ought we not to employ every method which may prolong the precious term of our freedom? Can we be too eager to preserve the glorious possession? a possession which justly renders us the envy of our neighbours; because it secures to us alone, the native privileges of humanity, and exalts us therefore into a scale of being, to which few nations have ever attained. In vain will you attempt to preserve it by laws, which may be transgressed, or by armies, which may be conquered or corrupted. It is a possession which must exist in the hearts of the people; there it is to be infused by early

culture and great examples. But to what culture must we have recourse? What examples shall we apply? Must we lead a young man to France, there to learn the maxims of refined despotism? Must we shew him the ancient map of his own country, when Britain, like all the rest of Europe, groaned under the burthen of a thousand petty tyrants? Must we instruct him in the works of our modern philosophers, *who would teach mankind to be happy without liberty?* No; *but we must point out to him a BRUTUS: he will soon discern him, with his reeking poignard, bailing his noble compatriots.* Let him hear a Cicero, or a Demosthenes, using a language different from his own, unacquainted with his manners and customs, yet agreeing with him in this great particular, of defending the natural rights of mankind—how will his heart beat—his blood warm—and every latent spark of public spirit be inflamed in his bosom!”

After this quotation I think nothing need be added to recommend the perusal of the pamphlet, there is however a concluding chapter, which will be deemed very curious, by the learned, as it points out the impracticability of translating the Greek and Latin authors, so as to preserve all the spirit and sublimity of the originals.

Upon the whole Sir, it evidently appears, that a lure was thrown out, probably under the patronage of the same evil genius who has been the promoter of despotism in England; to enslave his countrymen; by confining them to the study of modern languages, modern philosophy, and modern politics; under the pleasing notion of easing them of a great deal of painful attention to ancient literature. Had it succeeded, the proposed alterations in modern education, might have been transported very easily from the universities in Scotland to those of England.

For if an order to burn all the Greek and Latin authors to be found in Oxford and Cambridge were to be issued by the prime minister for the time being—My lords the bishops, and the inferior clergy expectant of ecclesiastical dignities, would carry it into immediate execution with as much alacrity as they did the Jew bill; if the order were even countersigned by the devil. But it is a singular happiness, that Great Britain has her advocates for *Liberty* in every part of her wide extended dominions. The spirit of patriotism is awakened in America, in Ireland and in Scotland, as well as in England—this pamphlet is one glorious instance of its vigilance, and while we have such writers—the author of the essays on the origin of colleges, and his detested patron; may use a thousand other stratagems to mislead and enslave the rising generation: under providence they will all prove equally abortive, with this invidious attempt to pluck up ancient learning by the roots, and with it to destroy the greatest examples of true patriotism, and genuine virtue.

Newcastle, Oct. 18, 1769

AN ENGLISHMAN.

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T H E

# P O L I T I C A L R E G I S T E R

For D E C E M B E R, 1769.

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N U M B E R XXXIII.

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For the P O L I T I C A L R E G I S T E R.

Miscellaneous Thoughts on the Office and Duty of Kings and Ministers; and on the Allegiance, Loyalty, and Obedience of the Subjects of a Free State, taken from an original Manuscript, written in the Reign of CHARLES the First, King of England, &c.

*Exercere igitur debet rex potestatem juris, sicut Dei vicarius et minister in terra, quia illa potestas salius Dei est, potestas autem injuria diaboli est non Dei, et cujus horum opera fecerit rex ejus minister erit. Igitur dum facit justitiam vicarius est regis æterni: minister autem diaboli dum declinet ad injuriam*  
 —Singulis Major—Universis Minor.

Bracton de leg. Angl. lib. 3.

**G**OVERNMENT, in general, as ordained and instituted by God, is circumscribed and limited by its divine founder, to be exercised according to the laws of nature, in subserviency to his glory, and the benefit of mankind. All rulers are confined by the Almighty, and supreme Sovereign, to exert their governing power, for the promoting his service and honour, and to exercise their authority.

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VOL. V.

thority for the safety, welfare, and prosperity of those, over whom they are established. Now it is observable that the Deity, in the government, which he ordained over the children of *Israel*, did not confine the rulers to be chosen by them, within any other limits, with respect to their civil concerns, except to govern for the good of those, over whom they were to rule, leaving it entirely to the people, at their first erection and submission to government, to describe and define the measures and boundaries of the public good, to be maintained and supported by their magistrates. And when these departed from the duties of their office, either with respect to the supreme Being, whose glory and worship they were to promote, or oppressed the people they were appointed to protect, the people were not only at liberty to resume the power they had invested in an unworthy object, but the Almighty, by the mouth of his prophets, and sometimes by miraculous interpositions of his power, encouraged and supported the people in their claims of religious and civil liberty, and placed other governors to rule over them.

In consequence of this freedom left in the hands of men, by their creator, to prescribe the terms on which they would submit to be governed in civil societies, all legal governments have been founded on certain compacts, stipulations, and agreements: from these the title and right to exercise authority is derived (except in cases of conquest,) and every man's allegiance is first owing to the constitution, or original compact, entered into by his ancestors, for the good of the community, of which he is a member; and to the ruler only, in virtue of the terms of the original pact and settlement: abstracted from this original constitution, no ruler can have a right of commanding the obedience of his fellow creatures, nor do they owe him in any duty of subjection; so that the immediate and natural effect of a prince's claiming what the rules of the constitution are so far from entitling him to, that they preclude him from it, is, the depriving himself of all right to claim any thing, and the restoring of the people to their state and condition of primitive freedom.

And seeing it proceeds from the efficacy of the forementioned contract, that one person becomes advanced from the common level to the title and authority of a sovereign, and that all others are by their own consent, put into the condition of subjects, there doth arise from thence not only a mutual relation between him that governs, and them that are governed; but the first and *highest treason* is, that which is committed against the constitution, and crimes committed against the person and dignity of the supreme magistrates,  
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are only made and declared to be so, by reason of the capacity, he is put into by the constitution, of preserving and defending the community, and because it is needful, in order to the peace, welfare, and safety of that community, that he should be covered from all danger, and rendered sacred in his person, and inviolable in his regal honour; while he answereth the trust which the people, upon their assembling and uniting in a body politic, committed unto him, and does neither depart from the essential and fundamental terms of the original compact, nor from the necessary provisions afterwards made and enacted, for preserving the government in its primitive state and frame. So that they neither are, nor can be *traitors*, who endeavour to preserve and maintain the constitution; but they are the *traitors* who design and pursue the subversion of it: they are the *rebels* who go about to destroy the fundamental rights and privileges of the body politic, whereas such as strenuously assert them, and vigorously defend them, are the truly loyal subjects, and do act conformably to the ties and obligations of *fealty*. Nor is it merely the first and highest treason in itself, for any member of a political society, whether he be *prime minister*, or a common subject, to endeavour to annul the reserved privileges, liberties, and rights of the community, but it is also the greatest treason he can perpetrate against the person, crown, and dignity of the king. For such an endeavour vacates his title to superiority, over those above whom he was exalted for the good of all, and deprives him of all rectoral authority over the body politic, by destroying the very foundation on which it was erected. By cancelling any part of the charter, from which he deriveth and holdeth his governing power, such an attempt not only makes the title to sovereignty precarious, but renders every claim of that kind, and every pretension of governing the community, an absolute usurpation.

In all disputes between Power and Liberty, Power must always be proved, but Liberty proves itself, the one being founded on positive law, the other on the law of nature. And as to absolute monarchy, it is inconsistent with civil society, and therefore can be no form of civil government, which is instituted to remedy the inconveniences of a state of nature.

The king and kingdom ought to be one creature, not to be separated in their political capacities, and when either undertakes to act a part by itself, it is like the crawling of worms after they are cut in pieces, which cannot be a durable motion, the whole creature not being united in an equal movement: if the body have a dead palsy, the head

cannot make it move; and God hath not yet delegated such a healing power to princes, as that they can in a moment say to a languishing people, oppressed with despair, *Take up your bed and walk.*

The state of a king is so comprehensive and so exalted a thing, that it is a kind of degrading him, to lodge that power separately in his own natural person, which can never be truly and naturally great, but where the people are so united to him, as to be bone of his bone, and flesh of his flesh; for when he is reduced to the single definition of a man, he sinketh into so low a character, that he is a temptation to men's allegiance, and impairs that veneration which is necessary to preserve our duty to him: whereas a prince, that is so joined to his people, as that they seem to be his limbs rather than his subjects,—cloathed with mercy and justice, rightly applied in their several places, his throne supported by love, as well as by power, and the warm wishes of his devoted subjects, like never-failing incense still ascending towards him—looketh so like the best image we can frame to ourselves of the Almighty, that men would have much ado to forbear adoring such a prince, and would be more readily tempted to the sin of idolatry, than to that of disobedience.

There must be so much dignity inseparably annexed to the royal function, as may be sufficient to secure it from violence and contempt, and there must be kind condescensions and compliances too from the throne, descending like fostering dew from heaven, that the prince may look so much more like the Almighty's deputy on earth—for power without love hath a terrifying aspect, and the homage which is paid to it, is like that which the Indians give out of fear, to wild beasts and devils.

He that feareth God only because there is an hell, must certainly wish there were no God; and he who feareth the king, only because he can punish, must certainly wish there were no king: so that without a principle of love, there can be no true allegiance, and there must remain perpetual seeds of resistance against a power which is built upon such an unnatural foundation, as that of fear and terror, whether exercised by the prince himself, or by his immediate servants. All force is a kind of foul play, and whosoever aimeth at it himself, doth by implication allow it to those he playeth against, so that there will be ever matter prepared in the minds of the people when they are provoked: and the prince, to secure himself, must live in the midst of his own subjects, as if he were in a conquered country, ever ready to meet or resist an insurrection; For there will ever be this difference  
between

between God and his viceregents, that God is still above the instruments he maketh use of, and out of all danger of receiving hurt from them; but princes can never lodge power in any hands, which may not some time or other turn it back upon them; and though it may be possible for a king to acquire as much power as will satisfy his ambition, yet no kingdom hath money enough to satiate the avarice of under-workmen, who learn from that prince who will exact more than belongeth to him, to expect from him much more than they deserve; and growing angry upon the first disappointment, they are very devils to the conjurors who raised them, and cannot so easily be laid again; besides, there can be no radical, lasting security, but where the governed are satisfied with the governors; it must be a dominion very displeasing to a prince of an elevated mind to impose an abject and sordid servility, instead of receiving the willing sacrifice of duty and obedience. The bravest princes, in all times, who were incapable of any other kind of fear, have feared to grieve their own people; such a fear is truly glorious, and in this case, it is an infamy not to be a coward, so that the mistaken heroes, who are void of this kind of fear, need no other aggravation to complete a bad character.

It certainly can be of no advantage to any government to endeavour at suppressing the rights, which remain in the bulk of the people, much less to employ trifling, mercenary scribblers, to execute this dirty work; their officiousness, or want of money, may encourage them to write, though it is not very easy to acquire abilities equal to such a diabolical task; they forget, in their too high strained arguments in favour of the prerogative of princes, that they very often plead against the law of nature, which will always give a bias to those reasons which seem to be of her side; besides, it is the body of the people who read their works, and they are to be the sole judges of them: therefore, no maxims should be laid down as the rules of government, to which there can be any reasonable objection; for the public hath an interest, and for that reason is more than ordinarily discerning, to find out the weak sides of such arguments as are intended to hurt it, and it is a disgrace to any government to promote or countenance such premeditated misrepresentations, which are turned upon it to great disadvantage, whenever they are detected and exposed: for naturally the truest endeavours to take from men the rights they possess, tempt them by the example, to claim what they have not yet got, but imagine they are equally entitled to.

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The power of no prince can be lasting, except when it is built upon the foundation of his own unborrowed virtue; he must not only be the first mover, and the fountain from whence all the great acts of state originally flow: but he must be thought so by his people, that they may preserve their veneration for him; he must be jealous of his power, and not impart so much of it to any about him, as that he may suffer an eclipse by it. He cannot take too much care to keep up his dignity: for when a king is thought to be led by those with whom he should only advise, and that the commands he issues are only transmitted through him, that is, in his name, and are not of his own growth, the public will look upon him as a bird adorned with feathers that are not his own, or consider him rather as a mere machine, than as a living creature; besides, it is a contradiction for a prince to be afraid of commonwealth principles without doors, and at the same time to establish a republic among his own servants, which will prove much more formidable to him in his cabinet, by delegating such a power to any number of men about him, as is inconsistent with the true dignity of a monarch. It is the worst kind of slavery the crown can submit to, for it is the exercise of power that draweth respect along with it, and when that is parted with, the bare title of a king will not be sufficient to support the real dignity of the throne. If all ecclesiastical, military, and civil honours and employments, which should be distributed by the crown, as rewards for piety and learning, for bravery and fidelity, for wisdom and integrity, are no longer in the king's disposal: but he is made to believe that the administration of government cannot be carried on, unless these are unreservedly and totally in the gift of his servants, so that they can parcel them out in their several departments, to their creatures and dependants, however unworthy—He is the veriest slave, perhaps the only one in his dominions. He is paid a certain sum for supporting the outward pomp of majesty: but an enlightened people, who are got beyond the æra of barbarism and ignorance, and are no longer to be taken with the bells and tinsel, the outward trappings and gildings of monarchy, will look upon such a prince as the mere shadow of royalty, and will pay the veneration and respect due to him, to the creatures of power of his own making, to whom he has given his vital spirit, the breath of his nostrils, and the light of his eyes: but if his servants oppress the people, and violate the laws, all the odium will retort on his head, who put the means into their hands, and ten thousand private virtues will not atone for the imbecility of his public conduct.

Kings



Kings should remember that their subjects swear allegiance to them, but not to all the petty tyrants they may set up under the complex title of ministers of state; and that if they think proper to part with the scepter, and submit their own necks to the galling yoke of ministerial insolence, it is no argument that the people should follow such a weak example, a contrary spirit in them hath often made the heads of administration afraid to face their incensed fellow subjects, at the same time that they have bullied their royal captive in the cabinet, and treated him with saucy rudeness in his palace.

In fine, as kings excel other men in power and dignity, and in the veneration and respect that is paid to them, so ought they to excel in fortitude, perseverance, wisdom, integrity and benignity; and since they were instituted for the good of the people, it is their duty to study and to pursue that end before all others; distributing equal and impartial justice; exercising well timed clemency; hearing the complaints of all their subjects; redressing their grievances themselves; not making the accused both judge and jury, but putting the public cause into innocent hands; and in a word, using every condescending, endearing art to convince his people, that the *Pater patriæ* and the indulgent *Pater familiæ*, are united and combined in his royal character.

We have a memorable saying of a Macedonian woman to Philip, the father of Alexander the Great, upon his neglecting to read a petition; "if you will not do justice, to what end are you king?"

It is an established maxim in all well regulated governments to confer no dignities or titles of honour, much less the chief offices of power and trust in the state upon any persons, but such as had gained a distinguished reputation by some signal and meritorious actions; but in England we have often seen men advanced to the highest dignities of the state, through predilection and caprice, through the interest of a party, the importunities of a favourite mistress, the docile abjectness of their disposition, and a variety of causes equally base and ignoble. Men ascending to the zenith of power, by such indirect, crooked, bye paths, have generally rewarded the promoters of their advancement at the public expence. If it was the prince who set them up, they have made a sacrifice to him of the rights of the people, if his ruling passion was ambition. If his mistress, her and her creatures have had a share in his good fortune, from the coffers of the state; and if raised by a party, a whole herd of sycophants have been pensioned on the nation; hence has arisen that universal detestation of ministers of state, which prevails in most monarchies;

monarchies, and has been no where more characteristic than in England, where there are but few instances of such as have pleased the people. A good minister is the corner stone of the state, he stands in need of all the political virtues of a good prince, his abilities and talents must be of the first rate. He ought to be eloquent, courteous, and affable, to all his fellow-subjects; generous and hospitable, well skilled in the languages, in the laws, and histories of foreign nations, as well as his own: but above all he should be possessed of resolution, probity, diligence, and disinterestedness; added to these qualifications, he must be very cautious in contracting familiarity, especially with *women*, for it is by them that most of the secrets of the world have been betrayed, armies surprised and defeated, and whole kingdoms subverted.

As often as these qualifications have been wanting in the leaders of administration, and that they have possessed the very opposite vices, free-born Englishmen have formed an opposition to their measures, which their partizans have constantly stigmatized with the opprobrious title of *SEDITION*, and the friends of virtue, and of the natural rights of mankind, have as steadily maintained that their struggles in support of their rights and privileges, against the arbitrary innovations of corrupt ministers, deserved the glorious appellation of *PATRIOTISM*.

But to take matters upon the credit of administration—let it be allowed that any one opposition on the part of the people in a free state, to the conduct of the king's ministers, may be properly styled sedition, to what does the charge amount? the strongest etymological definition of the term, conveys no other idea but that of a popular strife and contention, that the citizens are going to rise, that the people are on the brink of public uproar, or tumult.—Now let us ask what a rational, candid, dispassionate ministry ought to do in this case? and let us resolve the question by the opinions of the best political writers, who lived and flourished in the dominions of despotic kings, and whose works were subject to the ban of an *imprimatur*, and yet were allowed to be published.—Enquire prudently, say they, into the causes of *Sedition*—“the principal of which are—Avarice, in the possessors of offices of emolument, from this vice arises public and private plundering.—When the *public is plundered*, the tallies, aids, confiscations, subsidies, taxes, and revenues of a kingdom, or state, are misapplied or embezzled. This offence among the Romans, was called *Peculatus*.

*Private plundering* is thus defined,—when the magistrates and the rich oppress the poor with unjust extortions.

*Honour*

*Honour* is another cause of *sedition*. It is just that in the distribution of honours, regard should be had to the quality and merit of men; but when that is neglected, and obscure creatures are promoted to great dignities and employments, it must create resentment and ill blood amongst the brave and the virtuous, who see themselves neglected for no other offence, than *their opposition to base and unwarrantable measures*.

*Exorbitant authority, riches, and close alliances* amongst any set of men, are very dangerous to a state, having been often the source of *seditions* and *civil wars*.

*Contempt*; in all governments distracted by parties, will inevitably cause *sedition*, especially when the party excluded from the administration have the people on their side, which must, consequently, inspire them with confidence and resolution.

*Heavy taxes and exactions* have produced seditions and insurrections in most countries of the world; one and the same cause divided the kingdom of the Jews, under *Rheboam*, and was the source of the dangerous insurrection, under *Tyler*, in the reign of *Richard the second*, and of the revolt of the Seven United Provinces from the Spaniards: indeed nothing less can be expected in any state, when the impositions exceed the people's income.

Various have been the remedies proposed against *sedition*. Some have declared for violence and the sword, but the advice of *Tacitus* seems to be more solid, or at least more conformable to the tenour of the Christian religion, that is, *to treat, and to promise redress*, for what conquest will it be for a prince to massacre his own subjects, and what a crying sin it must be, when their complaints are founded in truth?

The persons employed to treat with the mutinous, should be men of known virtue, and in high esteem with the people; but of all expedients, "*redress of grievances is the best*."

Let us now turn the tables on administration, and suppose that the opposition formed to their measures, in a state where the basis of government itself is founded on public freedom, cannot with the least propriety be construed into *sedition*; but in the opinion of neighbouring kingdoms, acquainted with the nature of their constitution, and of all sober, unprejudiced men, deserves the stile of *patriotism*; how impolitic, nay, how execrable must that administration appear in the eyes of the whole world, which (in a country professing the Christian religion, and where the king solemnly swears at the altar to maintain the ancient laws and statutes of the realm, and to protect his subjects in their just rights,) will not follow the advice of *Tacitus*, by condescending to treat

with the leaders of opposition, but act as if they lived in a country where the rule is, *Quod nobis placet lex esto, let our will be law*,—who have preferred to lenient propositions, violence and the sword, and, which is a most crying sin, though neither they nor their advocates have yet proved that the groans of patriotism do not proceed from the anguish of real wounds.

But, O ye generous sons of freedom ! let not this base, this obstinate behaviour, falsely called resolution, urge you on to deeds of desperation !—great sense and madness are but too nearly allied,—wrongs, too deeply felt, often excite too violent resentments :—carefully draw the line betwixt *patriotism*, and its foul reverse *rebellion*.

There may be fresh gales of asserting liberty, without turning into such storms and hurricanes, that the state should run any hazard of being cast away by them ;—those strugglings which are natural to all mixed governments, while they are kept from growing into convulsions, do by a natural agitation from the several parts, rather support and strengthen, than weaken or maim the constitution : and the whole frame of government, instead of being torn or disjointed, is better and closer knit together, by being thus exercised.

Our government is like our climate, there are winds which are sometimes even loud and boisterous, and yet with all the trouble they give us, we owe a great part of our health to them, they clear the air, which else would be like a stagnated pool, and instead of refreshment, would produce diseases. Let not the timid then be alarmed,—the sails of liberty may be reefed, when the gale blows too fresh : and when the BRITANNIA is in danger, by means of decent, but spirited remonstrances to the Admiral, a bad steersman or two may be thrown overboard, without causing the least mutiny on board, or in any respect endangering the private property you have embarked on her bottom.

PLINY Junior.

### For the POLITICAL REGISTER.

IMPLICIT FAITH *the dependence of public administration.*

SIR,

IN your very valuable Register for November, you advertise on the cover, its being solely confined to political subjects, and those too of the greatest national importance, which must give your work a respectable complexion, and answer the end to the purchaser, who may always expect to find the cause of liberty, or the divine principles of the glorious revolution defended and urged with a masterly address.

I ask leave for a place, nevertheless, among your more valuable contributors, for a few thoughts upon what I apprehend to be a root of our malignant public perils;—what I mean, has been generated by the violent exertions of debauchery, or by a general depravation of British spirit and manners, and is become the diagnostic, or distinguishing symptom of our national mortal disease, viz. an IMPLICIT FAITH.

This, Sir, is not chimera, it is no visionary phantom; but it is an obvious glaring truth, with which, none can be unacquainted, who either read men, or read papers; for verily, from the head to the foot of this great body of people, FACTS with their fullest evidence, carry along with them no manner of conviction. So far from it, the testimony of experience is ridiculed: that of the best authenticated history contradicted; demonstration openly denied; and the doctrine of *transubstantiation* is become the only object of a political orthodox faith.—You will, because of my being an unfashionable mortal, ask an illustration. That is but reasonable. Take then some samples of an undoubting credit given to the reverse of what is the reality of things. *The bill of rights*, at the glorious revolution, *said*, our laws and our liberties should be secured to us, from the destructive hand of popery and arbitrary power. Whereas the people are now expressly told, that despotism best becomes the majesty of power, and that the popish spirit and plan are most salutary to our protestant system. We are now assured, the most venomous serpent has no injurious bite or sting, and that the viper or asp may be safely cherished in our bosoms, for that the tyger has now no fierceness, and the lamb has his ferocity.

How many and how bold the popish publications, under varied forms, and again and again imposed, under the titles of, *Thoughts, Essays, Real Seekers*, or, *Apologies* for Roman catholics. Nor can we wonder, when her priests have, with successful industry, infused into our great and small, the soothing soporifics of scepticism, infidelity and libertinism. To shut our eyes, to keep them firmly closed, is the only fashionable, loyal way of tamely bearing all oppressions, not questioning their conduct, but revering their infallibility, who guide the helm.—That they are *able* men and competent, is satisfactorily shewn, by their being totally void of the fear of God, and of any sincere love to the public weal.—Not any thing could give a more sensible pleasure to the emissaries of Rome, than to see such an a——n, and to observe the growth of what most tends to a dissolution of manners in Britain, for which reason, their polluting ministrations are bountifully rewarded, both at home and in our colonies. At Quebec, the Gre-

nadines, and at Halifax in Nova Scotia, at which last place a salary of one hundred pounds a year is given to a popish priest, by our government. The ministerial advocates are persuaded to believe, that our safety, honour, and happiness, do absolutely depend upon these absurd measures. Nay, according to the most courtly, and fashionable system, the *Hanover Family* is much safer in the hands of jacobites, papists, and the most profligate of mankind, than it could be in those, who hold revolution principles.

Thus, Sir, you will find yourself obliged to own, I cannot be much in the wrong, when I affirm, that a *blind implicit faith*, a total want of principle, is the basis or dependance of public administration, and the bottom evil which threatens an approaching subversion of our constitution.

I will trespass a little more on your patience, and adduce some other evidence in proof of my proposition.—It happened that the SPEECH made from the throne, when the Paris-peace was finished, was commented upon by Mr. Wilkes, who considered it as the favourite minister's, the peace-maker's, rather than the speech of the young king. This was considered and treated as an unpardonable insult on majesty, and ministerial vengeance has pursued the culprit ever since. But one of the many bad consequences of this ministerial persecution has so alarmed the whole nation, that they petition for the dissolution of a parliament, that gave Luttrell a seat in their house, against the sense of the county which had, by a vast majority, rejected him.—But with what efficacy can a nation remonstrate against an unconstitutional measure, when all mathematical truth is transformed? And when the sense of the people, however generally and pathetically expressed, is not allowed to be any thing like the sense of the people? Even *my* itself is not permitted to open its eyes, unless it be, when all the light of truth is first taken away. — must be persuaded to run the risk of — rather than leave his favourite exposed to the indignation of an injured people.

And in that great affair, the *union of interests between Great Britain and her colonies*, the plan of alienation and exasperation [in an article the most important, and essential to our trade and commerce] has been carried on, with an unexampled obstinacy! which measure, upon the immutable, eternal principles of sound reasoning and common sense, must have been deemed *high treason* against the majesty of the British nation. No history can match this outrage committed upon the life and spirit of a trading, commercial community. No possible reason can be assigned for such wanton efforts of power  
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but that of weakening the hands of protestants, and making way for the enslaving of a free people.—No other way can we account for a r——l Briton's acquiescence in this measure, but by the shutting of his eyes upon all evidence, and submitting himself wholly to an *implicit faith*.

One more instance let me produce, viz. that alarming letter from Cork, which you have given us, *on the situation of affairs in Ireland*. The address therein mentioned, so scandalously procured and presented, considered as introductory to the most tyrannical and unconstitutional project ever attempted in that kingdom, must give the natives the greatest reason to apprehend, that they are on the very brink of destruction. Such apprehensions are entirely owing to mens keeping their eyes open, and judging of things as they are, whereas the only method of reconciling themselves to the exasperating, subverting scheme, is, that of an *implicit faith*; without which, the plan of the present public a——n could have no efficacy. They who are strangers to this faith, are all of them seditious and riotous, they have no loyalty, but are daily branded by the ministerial hireling writers; as holding no other than disaffected and rebellious principles.

Upon a careful review, it is extremely natural to conclude, that if a contempt be thrown on the national PETITIONS, some great plot is opening upon us. And let us now ask, what end the naval armament of Spain is designed for, so often employed in former times, to effect the extirpation of northern heresy? What may it not accomplish, whilst our navy lies neglected, and when once joined with the French naval force? For what end is the king of Sardinia augmenting his forces? Not surely, that he has any thing to fear from the imperial claims to Genoa.—If we are to form a judgment of these political phenomena, by a *blind implicit faith*, we may fancy, that they are all of them friendly to Britain. But if we should consult the reason of things, or the manifest tendency of the principles, which have usually governed those powers, bewitched with the sorceries of Rome-papal, we shall most certainly have very different apprehensions.—And that the ministry do not take any notice of the warlike preparations now making by all the powers of Europe, or exert themselves to put the nation in a proper posture of defence, is a convincing proof that they hold an *implicit faith*, with respect both to foreign and domestic events, and look upon their administration as an infallible charm against compacts and alliances formed abroad for the destruction of the power, riches, and commerce of Great Britain, and against the just complaints of a much injured, petitioning people, at home.

Nov. 9, 1769.

AN UNFASHIONABLE BRITON.

For

## For the POLITICAL REGISTER.

*On the Subjects Right of Petitioning the King.*

**A**LTHOUGH the right of every subject in the most despotic kingdoms, to petition his sovereign against grievance and oppression, is indisputable; and though this right has been solemnly confirmed to every British subject; by an *express covenant*, sealed with the best blood of Great Britain; yet every attempt to exercise this right has been, of late, infamously opposed by a set of despicable tools, who, though encouraged in their impudence by British money, have proved themselves unworthy the protection of a British government.

The most decent and respectful petitions to his majesty, from the most respectable bodies of his subjects, have been *traded as a violation of duty, and represented to his majesty as tumultuous and seditious.*

What do these slaves mean? what do their masters mean, by prompting them in this unbounded insolence? which naturally tends to inflame the minds of the people against the administration of government, and to spread jealousy and discontent through the kingdom.

It is happy for the king: it is happy for the whole community, that the wisdom and prudence of great and good men have, for the present, checked the alarming resentment of the people, by encouraging them to depend upon the promising hope of success, from a firm, united, and constitutional application to the throne for redress. On the other hand, these writers are daily adding insult to injury, by abusing his majesty's faithful subjects for their loyalty and moderation, by robbing Billingsgate of its peculiar property, the epithets, *scoundrel*, and *blackguard*: and by endeavouring to persuade the petitioners that they have no room for hope, that instead of obtaining relief, they deserve to be punished for presuming to disturb his majesty's repose.

This is a compliment that his majesty will not thank them for; but the times present a melancholy prospect, when men in power, or their tools in pay, dare insult his majesty's best friends, for their last constitutional efforts, to prevent violence and anarchy, to rescue his majesty from the curse of evil counsel, and to re-establish his throne in the hearts of his subjects, where, at the commencement of his reign, he sat in glory, surrounded with the genuine acclamations of applause from a grateful people.



If these ministerial firebrands are determined to involve the nation in flames, let them, like men of spirit, openly declare their intention, but, let them at the same time remember, that decency and reverence forbid them to insult his majesty, by calling themselves his friends.

Notwithstanding their mighty patronage, I would have them to know they are not yet so secure from condign punishment as they may vainly imagine. Indeed, they themselves betray a suspicion of their own danger, and the weakness of their patrons, by perpetually calling out for *firminess in the ministry*.

The *abuse* of petitioners to the throne for public redress, is a trick of no new invention. It is but the old game, which, in Charles the second's reign, was played off with more spirit and dexterity, and supported by an infamous proclamation, framed by lord Chief Justice North, "upon his nice distinction, or hair-breadth line of partition in politics, between the matter and the manner."\*

It may not, therefore, be improper at this time, to lay before the public the sentiments of a patriotic house of commons, upon this subject.

On the 27th of October 1680, Sir Gilbert Gerrard stood up, and addressed himself to the speaker of the house, as follows:

*Mr. Speaker,*

I crave leave to mind you of a great infringement which hath been made of the liberty of the subject, since the last session of parliament. Sir, many good protestants thinking it strange that two parliaments should be dissolved without doing any thing material against popery, and a third so often prorogued in a time of such imminent danger, and foreseeing the ruin such delays might bring upon them, resolved to petition his majesty, and accordingly in several counties and corporations, petitions humbly praying his majesty to let the parliament sit, were drawn up, and signed by many thousands of his majesty's good subjects, in a peaceable and quiet way, and delivered to his majesty by no greater number of persons than is allowed. But although this was conformable to law, and the duty of good subjects, considering what danger his majesty's person and the protestant religion was in, yet it was traduced to his majesty as *seditions* and *tumultuous*, and

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\* An authentic copy of this proclamation is inserted in page 57, of our register for August, and the subject is there begun, which is now treated at large, and concluded in the present essay.

forbidden by a proclamation, and great affronts and discouragements were given to such, as either promoted or delivered the said petitions : and at last several persons were set up to declare at the assizes, and other public places, an abhorrency and detestation of such petitioning.

Sir, I humbly conceive the subjects of England have an undoubted right to petition his majesty for the sitting of parliament, and *redressing of grievances*; and that considering the circumstances we are under, we have no reason to lose it. If it should be our unhappiness to have a popish king, may he not be surrounded with popish counsellors, so that poor protestant subjects may be debarred of all other ways whatsoever, of making known our complaints to him : and must we lose this too ? Sir, I think it so *necessary* and *material* a privilege of the subject, as that we ought, without loss of time, to assert our right to it : and therefore I humbly move you to make some vote to that purpose.

Sir Francis Winnington stood up next.

*Mr. Speaker,*

Sir, I am not only of opinion with that worthy member that spoke last, as to making a vote for asserting the right of the subjects to petition their prince, but also for chastising of those who have been so wicked and abominable, as to traduce it and abhor it ; and to that purpose, I think, Sir, it will be convenient that we find out who advised, or drew up that proclamation against it, and examine how a petition that was made in Berkshire, was ordered to be taken off the file at a quarter sessions, if worthy to be so called, there being but four justices of the peace, and two of them such obscure persons, as I cannot get their names ; and also to make some inspection into those *addresses* made against *petitioning*, and by whom contrived, signed, and delivered. But this must be a work of time ; for the present, I humbly move you to pass one vote to assert the right of the subject to petition the king, another of censure on those persons that have traduced it, and to appoint a committee for your further proceeding herein.

Resolved, *That it is, and ever hath been, the undoubted right of the subjects of England, to petition the king for the calling and sitting of parliament, and redressing of grievances.*

Resolved, *That to traduce such petitioning as a violation of duty, and to represent it to his majesty as tumultuous and seditious, is to betray the liberty of the subject, and contributes to the design of subverting the ancient legal constitution of this kingdom, and introducing arbitrary power.*

Resolved,

Resolved, *That a committee be appointed to enquire after all such persons, that have offended against the liberty of the subject.*

After these resolutions were passed, Mr. Silas Titus stood up.

*Mr. Speaker,*

Sir, I am very glad these votes have past so unanimously; for popery and arbitrary government can never be set up in this nation, if we could be sure of frequent parliaments. And therefore the asserting the right of the subject in any thing which tends to that, may be of great use to the nation.\* But, Sir, seeing you have taken this business into your consideration, I think we shall do well to go a little further with it, even at this time. I am informed some members of this house are guilty of having acted contrary to these votes; and I am of opinion, that, as they were not *willing we should sit here*; so that we should be as *willing not to have them sit among us*. For if it were a great crime in others, much more in those that were chosen to assert the rights and liberties of the people. It is very unlikely that men of such principles should make good parliament-men; and I think it will very well consist with the justice of *the house*, to begin with a reformation amongst ourselves; and therefore I humbly move we may first proceed against such.

Being required to name such members, he named *Sir Francis Withins*, who not being in the house, was ordered to attend the next day. Where, after he was heard in his place, he was ordered to withdraw, and *censured to receive the sentence of the house upon his knees, and to be expelled the house*.

“ The recorder, *Jefferies*, was reprimanded at the bar of the house upon his knees, and was obliged to resign his office, for having procured the address of *abhorrence* from some of the citizens”.

The court thought proper to put a stop to these disrelished proceedings of the house, by proroguing the parliament on the 10th of January, and dissolving it by proclamation on the 18th of January, 1681.

The truly honourable *independent* house of commons had, in their repeated addresses, pathetically represented to the king, the danger his own person was in from his favourites

\* At this time, a majority of placemen and pensioners in a house of commons, was a thing unknown, and its future existence unexpected. If so alarming a phenomenon shall ever appear in this kingdom, our safety, instead of depending upon his majesty's wisdom and virtue, will depend upon the grace of his ministry.

and pretended friends about him; but all to no purpose. Their steady pursuit of the only probable means to save him, (*the exclusion bill*) was one chief reason for their dissolution.

The general tenor of *Charles's* conduct, was *acting the knave*; but in this, he found by experience, when it was too late, that he had *played the fool*. If this intriguing misguided king, instead of hearkening to the flatterers and sycophants of his court, who owed all their importance to his own mere grace and favour, and held it but during his pleasure; I say, if instead of this, he had attended to the honest advice of his faithful *independent* house of commons, he might have ended his life without *arsenic*, and his reign without *infamy*. But, alas!—*He died as a fool dieth*.

An *independent parliament* (the very essence of the British constitution) is the only council, a king of Great Britain can securely confide in. But, if he suffers his parliament to be the retainers of his ministry by corruption, he parts with the two brightest jewels of his crown, *THE POWER OF DOING GOOD*, and *THE AFFECTIONS OF HIS PEOPLE*. A *dependent parliament* is but the pure echoe of *his own cabinet*, and consequently can be of no use to him as a *council*.

In this last case, his majesty will be deprived of the means of knowing the real sentiments and temper of his people, in any other way than by their petitions. And must he be debarred from this last resource too? God forbid! that his majesty's faithful subjects, so long as they are able to write and kneel, should ever be so deficient in duty and prudence, as to suffer him to be misled to his own and their ruin, without timely notice from them.

HAMPDEN.

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*Abstract of the Case of the Protestant Dissenters in Nova Scotia, impartially stated, and humbly recommended.*

IT is supposed, upon the best calculation, that there are in that province, besides the native Indians, between thirteen and fourteen thousand inhabitants, subjects of the British government. It is also computed, that of these near nine thousand are protestant dissenters, of the presbyterian, congregational, or antipædobaptist persuasion: The rest are either of the established church of England, for the support of whose ministers, a legal and certain provision is made; or of the church of ROME, *who for reasons of state, are allowed to have a priest among them, with a maintainance provided for him.\**

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\* Though this circumstance is mentioned in these modest terms in the case, it is incumbent on the author of the strictures

The protestant dissenters are, by far the greater part of them, new settlers there; some from other parts of America, and some from Britain and Ireland. These have their lands to clear, to plant, and to secure by dykes from the overflowing of the waters. They are scattered up and down in the several townships newly erected through the province; they are peaceable and industrious, and live in all due subjection to government. The difficulties they have to struggle with, the burthens they labour under in the present low and bad state of their infant settlements, are more easy to be conceived than to be described, and yet not fully to be conceived by those who are strangers to such a situation: great and many are their disappointments and losses; their productions and profits small and inconsiderable, while provisions of all kinds (fish only excepted) necessaries, as well as conveniences are scarce and extremely dear. Very desirous they are to have the institutions of religion amongst them, and to worship God in a way that their consciences tell them is most agreeable to his word, and that they find to be most instructive and edifying to themselves and their families; nor doth government in the least infringe that right.

But then they are unable, at present totally unable, to make provision for ministers already settled among them, much less are they able to call any more, how great soever their need of them is. They now have in several townships (exclusive of one at Halifax, for whom no assistance is here asked) eight ordained ministers, men of character, and regularly educated for the ministry, settled among them, besides others upon probation: but even for these, they are not able to provide a subsistence. These are in the most distressed condition, and must be obliged either to leave the province, or to starve there, unless some relief and assistance can be procured for them. The consequence must be, either that numbers must live without the public worship of God, and the institutions of the Gospel; or act counter to their principles and consciences; or, with their pastors, leave the province, and go where they can enjoy those advantages.

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tures on the conduct of administration with respect to Grenada (see page 257, vol. IV.) to take proper notice of this fresh proof of the favour shewn by our present worthy protestant governors to the professors of popery. A salary of one hundred pounds per annum is allowed by them for the propagation of a religion in its principles subversive of our constitution, and our protestant dissenting brethren are forced to solicit the benevolence of the public, for the maintenance of their ministers.

This being their unhappy case, they are humble and earnest petitioners to their christian brethren for relief and assistance; and have deputed the Rev. Mr. William Moore, Pastor of the dissenting church at Halifax, the capital of that province, to represent their distressed situation, and to implore relief for them. He generously undertakes it, disclaiming all advantage to himself, as his situation places him above the need of such charity, and only pleads in behalf of his poor distressed brethren.

Mr. Moore brings with him, besides other credentials, a state of the case, signed and attested by many of the most respectable persons in the province, churchmen, as well as others; and also a recommendation from most of the ministers at Boston in New England; both these are annexed to the Case for the satisfaction of the publick.

The importance of this charity is obvious in many views; and will be felt by those who have a true regard to the honour of God; and a desire to promote the Redeemer's kingdom, the comfort and happiness of their fellow creatures in time, and for ever, the welfare of that province, and the interest of Great Britain there. By these motives it is recommended.

It is true the money necessary for this purpose must be considerable; but the importance and utility of the object is proportioned to the expence. It is thought by those who are judges, that £5000 or £6000 laid out in purchasing Nova Scotia province notes (which are government security) will be a fund sufficient to answer the design.

And that the kind contributors to this work of charity may be satisfied of the faithful application of what they shall give to the relief of the churches or ministers of the three denominations of protestant dissenters aforesaid; a number of gentlemen in this city have consented, at the earnest desire of the said Mr. Moore, to be trustees and managers of it; engaging, that according to the best of their judgment, it shall be properly applied: reserving to themselves a power to fill up their number when reduced by death, or any other just cause; and to apply the money to some other pious and charitable use at their discretion, only in case it shall appear to them that the dissenters in Nova Scotia shall hereafter be in circumstances to provide for their ministers.

Benefactions to this charity will be received by any of the trustees, or by the Reverend Mr. Moore, at their appointment, or by the following bankers, Mess. William Fuller and son, Lombard-street; Mess. Roffey and Co. Threadneedle-street; Mess. Drummonds, Charing-cross. And an account of the money printed for the satisfaction of the contributors.

*The Speech of Mr. Serjeant W——r, on the Side of a noble Lord, Defendant in a late popular Cause, where the Jury brought in a Verdict for 4000l. Damages.*

**M**AY it please your lordship, and you gentlemen of the jury, I am council for the defendant, against whom Mr. W—— has brought this action, in order to recover damages for the injury he has sustained during an imprisonment for four days, under an illegal general warrant. These warrants have been declared by the most solemn authority, to be contrary to law: My client submits himself with cheerfulness and respect to that decision which has condemned them. There is scarce a single person in the kingdom who is ignorant of the determination in the courts of law, in the affair of general warrants, nor is there the least probability that any future minister will dare to issue them. What emolument then can the public receive from this action? With what public spirited view does W—— demand a pecuniary indemnification for himself? Will he consider himself as a trustee for the public? Does he intend to build a church, or to raise an altar to liberty, with the money which he expects you should give him in damages? I think I see reason to doubt that he acts with so disinterested a view for the public good, since my learned brother has told you in his opening, and has attempted to produce evidence to you, that the fine he expects from you will be levied, not upon lord H——x's private fortune, but from the public treasury. He who brings this action merely for the sake of the public, will take this money from the earnings of the industrious poor. What imminent danger now calls W—— out to be the public champion? Mr. B——, another patriot, has already stood in the gap, and in the cause of liberty already received 1500l. of the public money. So much for the danger to which the nation has been exposed by the exercise of general warrants. Let us now examine the injury Mr. W——s in particular has received from them: In asserting these damages the jury are to examine as by a writ of enquiry, not as an indignant jury, as my learned brother attempts to direct them. The difference arising to Mr. W—— from being taken up by a legal warrant; or by this warrant, is to be considered, and on that he is to be indemnified: What favourable or unfavourable events have occurred to Mr. W——, arising from his own conduct, whether proper or improper, it does not become us to consider; as these changes of fortune can with no propriety be attributed to the signing the general warrant, neither can an indemnification with any justice be demanded of lord H—— for them.

Mr.

Mr. W— voluntarily withdrew himself into France; he was not banished by, or in consequence of this warrant; as my lord H— was not the cause of this migration from his country, so neither did he take advantage of his absence. We might have brought this suit to a very short period, we might have demurred to his outlawry; and have had judgment, of course, in our favour. But this advantage his lordship disdained to take. We waited with patience till the outlawry was reversed; we then hoped the cause would have been heard with all possible expedition; but, by the plaintiff's blundering in not giving a term's notice afterwards, by the rules of this court the cause could not be heard. The plaintiff never desired the noble peer, my client, to wave his privilege, as is the constant custom in such cases, nor did he apply to the house of lords, who would have compelled the defendant to wave his privilege.

There is now in court the strongest proof that the defendant cannot justly be charged with procrastinating this trial; you yourselves, gentlemen of the jury, were impanelled to try this cause by the under-sheriff, who is attorney in the cause, and therefore it was in his lordship's power to take exceptions to every one of you, but his lordship was far from entertaining any such design; he is happy in having such disinterested judges of his behaviour in regard of Mr. W—, of which I shall now give you a very short account, which I shall establish by incontrovertible evidence.

When it was thought proper by the government to animadvert upon the authors of a political writing, and to examine Mr. W— with respect to it, lord H— sent a message to Mr. W—, desiring to speak to him; was that a proof of private enmity to Mr. W—? Upon Mr. W—'s refusing to comply with this message, it was thought proper to arrest him; but the officer employed for that purpose, was commanded to treat him with all possible civility. Before it was mentioned to lord H— that orders were given to issue a writ of Habeas Corpus, Mr. W— was sent to the tower. It will appear to you that the general warrant was not framed by lord H— for the purpose of oppressing Mr. W—. It will appear that lord H— objected to the form of it, and refused to sign it, till he was assured that it had been the constant form handed down from almost time immemorial; used by the favourites of the people, and true friends of the constitution, approved and confirmed by the then law officers of the crown. It would be an enormous aggravation of his lordship's offence, if either the general warrant, or the warrant of commitment to the tower, had been of his lordship's coinage,



coinage, and fresh from the Mint; but you will find that the latter, as well as the former, had passed through the most respectable hands. And as soon as he was informed of the unexpected use that had been made of his warrant to exclude Mr. W—'s friends from seeing him, he immediately wrote a general order to the lieutenant of the Tower, to admit every person that Mr. W— might be willing to see. Whatever may since have occasioned such a change in Mr. W—'s sentiments, the conduct of his lordship was so satisfactory to Mr. W— at that time, that soon after he was discharged from confinement, he confessed that lord H— had behaved to him in a manner becoming a gentleman; and even expressed some gratitude for his lordship's civility. That his lordship, who was not bred a lawyer, nor enquiring judicially into the merits of general warrants, should be mistaken in his idea of the propriety of them, ought not to appear surprising to you, when you are told that these warrants have made their appearance uncensured in Westminster-hall, and that my lord chief justice Holt himself had taken bail upon them. I utterly deny that the practice of office could entirely justify his lordship's conduct; but I am persuaded that it requires very few words to convince you to what a degree it extenuates the offence. What punishment you shall think proper to inflict upon his lordship, by your fine, or rather what damages to allot Mr. W— for his suffering, I shall not pretend to suggest to you. He charges for damage done to his house under the general warrant, 40l. for breaking open a door 200l. for breaking open bolts, locks, and escutores, for damage to his library, &c. 300l. and in some other sums, which upon my calculation comes to 1440l. but by his, at the end of his declaration, it comes to 20000l. He has recovered 10000l. for breaking his house from Mr. W—, and the jury has, in this case, only to consider what real detriment it was to Mr. W— to be imprisoned four days.

*Mr. Serjeant G—'s Reply.*

*My Lords and Gentlemen of the Jury,*

**Y**OU have heard the argument which the council for the defendant makes use of, to lessen the damages which my client has laid in his declaration against the earl of H—; but notwithstanding the ingenuity with which the case has been stated, I differ entirely, both from Mr. Serjeant W—'s own estimate, and that which he has calculated for me.

With respect to the measure of damages, I do not desire you, gentlemen of the jury, to exert a headstrong blind indignation, but I assert vengeance on those who have injured the

the laws of your country, to be the proper object of your indignant spirits, and which call on you to make the most liberal, and at the same time the most considerate appreciation of the wrongs those laws have sustained. What the consequence might be to Mr. W—, from the natural tendency of the measures pursued by the noble lord, not what damage actually did attend them, is highly proper and necessary for your consideration: That these effects did not follow, Mr. W— is not in the least degree indebted to the humanity of the noble defendant, any more than he is to his lordship's candour, for this extortion of justice by the voice of a kingdom. 'Tis not for interest he brings this action, but to deter, by no small damages, future ministers from pursuing measures, which they find have led their predecessors to ruin; and by no small damages are ministers to be terrified; and few men, in whole revolving ages, can be found, who dare oppose themselves to the forces of tyranny, and whose single breasts contain the spirit of nations. And it is to the high, firm, and glorious spirits, such as Mr. Hambden and Mr. W—, that the inhabitants of this country are indebted for their exemption from arbitrary taxation of their property, and uncertain enjoyment of their personal liberty. And should you in this cause, gentlemen, as no doubt you will, act with the noble zeal of Englishmen, it must appear to the public, the record must be graced with it, that a British jury inflicted an exemplary fine on the minister who daringly deprived the champion of his country's freedom, of his own liberty.

How Mr. W— will think proper to apply the partial remuneration of his injuries, becomes not us to enquire; but that the noble peer should suffer for his misconduct, by a pecuniary mulct, is of the highest importance to us, and due in justice to Mr. W—. It has been asked by my learned brother in his usual vein of pleasantry, and to relieve your spirits, after so long and serious attention, whether Mr. W— would build a church or erect an altar to liberty? Yes, he will raise an altar to liberty, in the memory of all friends of the constitution; you gentlemen, will have the honour of assisting him in the glorious work, and your names will be inscribed upon it.

I would not trifle with your time, I would not be so insolent as to suppose, that a Middlesex jury would suspect or imagine that it was for bolts, locks, or doors broken, that this action was brought: That such particulars were estimated at 200l. others at 300l. and that the liberty of Mr. W— was to be estimated at 500l. The valuation of liberty is new to the law. The constitution of the courts of law  
fix

fix no value upon the liberty of individuals, any more than good citizens can estimate at any price, the liberty of the public.

It has been insinuated, that Mr. W— has not pursued with activity, those who have been guilty of this encroachment upon his liberty. But on the contrary, I am persuaded, and affirm, and trust that you too will be convinced, that Mr. W— took every step to accelerate the cause, and that lord H— took every possible step to retard the cause. After issues upon issues accumulated upon him for small sums; my lord H— has been dragged into court as a delinquent for 500l. As long as the record of outlawry subsisted, no farther step could be taken by Mr. W—; that outlawry has been lately reversed, and we have now, after all the unavoidable delays of law, assisted by the authority of privilege, happily brought this delinquent to answer to you for his conduct, and to make some satisfaction for his injustice.

I am charged with attributing to my lord H—, personal malice against Mr. W— without proof. The idea the law has annexed to malice, is a depraved mind, exerting itself against persons who have really offered no injury, or none adequate to the resentment kindled and bursting out into action against them. And the court always supposes that kind of malice, where no sufficient cause of mal-treatment appears. It must therefore be either malice against W—, or depraved motives against the constitution itself, which prompted and impelled the noble peer to the enormities that have been discovered and demonstrated to you by the evidence equally of defendant and plaintiff.

Mr. W— arrested, the custody is almost instantaneously changed, and he is sent with amazing expedition to strict and close confinement to the Tower. Mr. W—b says, such directions were given by lord E—t in the presence of lord H—, silent and unopposing, as shocked even him, from which conduct we must infer, malice; and such malice appears of all sizes, in the procedure of the defendant, as evince his action to have been entirely under the malignant authority of that passion.

The North Briton is charged in the first warrant as treasonable; afterwards, that severe appellation was dropped: Why then, but to warrant and justify an intention to treat Mr. W— with severity, was it ever assumed; their l—s it seems had followed the course of precedents; they had previously taken the opinions of the attorney and solicitor general, and how far they could oppress Mr. W— was the constant subject of their conferences after his arrest.

No hardship, it is said, was occasioned by this warrant; yet under this very identical warrant were W—'s papers seized, by means of which papers, so illegally obtained, the noble peer and associate, have persecuted him even to the ruin of his fair hopes and expectations in life, of his fortune, and, at this moment, he is imprisoned in consequence of it.

It would have become the secretaries to have sent for him, made him all the amends in their power, and to have discharged him from his confinement; but they, artfully and disingenuously, offered to bail him, when they knew he was in confinement under an illegal warrant.

For fear the meaning of close confinement should not be sufficiently understood at the Tower, a particular verbal explanation was sent by these humane secretaries, of what they desired his confinement should be; and what kind of imprisonment did they direct? Even that of the most atrocious state-prisoner; the supposed author of a libel was ordered to the confinement of a traitor; to see no friends, no relations; to be prevented from making proof of his innocence, for want of advice; and when the rigour of his confinement was relaxed, and softened, as they stile it; to be able to communicate nothing in confidence to his friends, to his lawyers; but every word and action must pass the observation of two officers of the Tower.

Such was the confinement to which Mr. W— was doomed by lord H—; but this mode of imprisonment has been exercised, we are told, in a more tyrannical degree, than Mr. W— experienced. I take it for granted, that those precedents of warrants for close imprisonment, which have been produced in such clouds, are just; and I do moreover believe, that there is not a species of tyranny which may not be warranted by the practice of the secretary of state's office; but if these precedents were his guides, the noble peer had little of the spirit of an Englishman, if, at the sight of such, he did not start and refuse to follow them. If these precedents were unknown to him, and the form new, the offence against the law was entirely his own, and he must be considered as the author of the precedent; by which conduct he has raised and introduced a spirit of examination, that will exert itself in censuring him, because it is plain he governed himself by rules inconsistent with the laws of this country; and will stigmatize the secretary's office, because we now see it is the custom of that office to pursue methods destructive of every barrier, which the wisdom of our ancestors interposed between the power of the crown, and the liberty of the people.

These

These rules and customs, the noble peer hath followed; nor does he give any reasonable hopes, that if it were in his power, he would not observe the same again; he expresses no compunction, he does not confess, that he has acted upon mistaken principles. But even if he had expressed concern for the injury he has done, if he had not made an offer of indemnification at the same time, you would not have accepted of such repentance.

We all know upon whom the expence will light of indemnifying Mr. W— for the injury he has received from the laws which the noble peer takes for his rule of conduct; that they are not the laws of this country we all know likewise; yet such has been the oeconomy of the treasury, and such the obstinacy of the noble defendant, that I am firmly convinced, that 100,000*l.* would have been gladly expended towards maintaining them.

But I hope and believe these things will be enquired into shortly in a proper place; you too, gentlemen of the jury, in your province, in forming a verdict, will provide, that it may be an instructive example to posterity, by giving vindictive damages, which go hand in hand with exemplary justice.

*Extract of a Letter from Dr. L——s, Member for Dublin; upon the present critical situation of Ireland.*

S I R,

“**Y**OU have pretty emphatically pointed out the state of other countries in Europe, as well as your own: you seem not at all to consider the relation this country bears to your’s, their mutual connection and dependence upon each other, and the moral certainty, that one kingdom must sooner or later be involved in the fate of the other: yet you appear not at all to consider the danger you must be in, when your neighbour’s house is on fire, and make no provision against the infection of that worst of contagious distempers, slavery, though it rages in a neighbouring state, intitled to the same civil and religious liberty with you.

“Ireland is, at this day, in a more critical situation, than she has been in at any period of the history of that kingdom since the reign of Henry II. The national debt is excessive, principally incurred to pay a set of pensioners, most of them strangers, if not enemies, to the establishment. Since the revolution, the people have never paid less than twelve thousand pounds, and often more: though in times of general war and Scottish rebellion, they were not left half the number they paid for their defence: yet, those who defrauded them of the

the forces paid for their safety, and who now make the military establishment the most expensive in Europe, having little less than one officer to every three men, are demanding an augmentation of the military; and though they failed in the most violent and unjust attempt the last, boast of the certainty of their success this session: and all this, while the protestants are begging to be formed into a militia; while the chief governor looks upon himself and chooses to be considered only as head of the military; while the most daring outrages are committed by the soldiery in every part of the kingdom, the capital not excepted; where the sheriff has been carried a prisoner to the barracks, by the soldiers; where the king's gaol has been more than once broke open, and all the criminals discharged by the soldiery, at noon-day, with impunity, as to the civil power; and this only for the magistrates presuming to commit soldiers to prison for riots and other breaches of the law. If this horrid project succeeds, can England be safe? can the colonies be free?

“ Much more may be offered to shew you the wretched state of the nation. If this threatened augmentation takes place, we shall be in as bad a state as the Corsicans, who so justly move your compassion. To secure success to this destructive scheme, the chief governor, last session, assured the city by one of its members, that he had no orders to propose an augmentation, hoped he should have none, as the city and its members were so averse to it; but if he should be obliged to propose such a scheme, it should first be imparted to the city member. Yet, when he and others were, by this and such like artifices, taken off their guard, at the close of a session, the project was opened and proposed by a Scotch secretary, but happily for you, as well as for us, then rejected.—It is now asserted, that they are resolved to carry the measure through.

“ You loudly and justly complain of the petition of the Livery of London being coldly and slightly received.—What would you have thought if the sovereign refused to receive your petition?—Yet this has been the case here, though the petition was of the utmost importance to the protestant interest, and to the very existence of this and the principal cities in the kingdom; for the king's lieutenant positively refused to receive it, though offered by the city member, and afterwards by the lord mayor, sheriffs, and all the corporations.

“ Thus are the people of Ireland treated, though by law and right as free as you. And surely when a civil constitution, framed and established upon the same footing, and  
after

after the same model with that of England, is thus broken and reduced, how soon the same craft and force may be applied to overthrow your establishment, with more certain success may be easily conceived. It is your part to set up beacons, to draw lines of circumvallation, and ward off as long as possible, the pestilence of slavery, nurtured under a military government in this ill-fated country.

Dublin, Oct.

27, 1769.

Your's,  
HIBERNICUS.\*

*A genuine Letter addressed to the Duke of Grafton, by a certain great Man, in the Year 1767.*

My Lord,

**Y**OUR fate having led you to the most distinguished honour that any subject can aspire to, admittance to the closet of your sovereign; permit me, as a lover of my king and country, to point out a few hints, which in your numerous avocations, may possibly have escaped your recollection.

A free people are constantly jealous of their rights; a wise king will preserve to them those rights, by such maxims, as will fully establish his own. A virtuous minister will endeavour to cultivate and unite these reciprocal obligations. The great misfortune of our English princes has been their indolent submission to the name, without the least attempt to discharge the duties of a sovereign. At the beginning of their reigns all is smoothness, all is joy and felicity. But the sun-shine, unfortunately, is seldom of long duration. Clouds of jealousy arise, and the whole atmosphere of government is soon filled with noxious vapours; which cause heart-burnings, animosities, party and personal altercations, that are felt, even in the inmost recesses of the royal palace; effects that too frequently arise from the noblest cause, a thirst of liberty.

What is a King? Only the first and chief magistrate, who acts in a superior degree to the rest. All dignities, all honours flow from the crown; a power to bestow, that, exclusive of any other, would give a prince sufficient authority throughout his dominions; but a King of England has many prerogatives; he has the glorious privilege of pardoning offences, and rewarding great actions; while the odious, or at least the severe parts of jurisdiction, punishment and condemnation, are allotted to his officers; to himself alone is left the god-like attribute of mercy and forgiveness. From hence, perhaps, kings have thought themselves as representatives of God; would to God they would think themselves representatives of the people!

Begin first, my lord, to conquer and subdue your own passions and prejudices, and then attempt those of your master; point out to him with candor and sincerity, the love he ought to have for parliaments, but above all things, that those parliaments be free. In all treaties and alliances, keep Great Britain for ever  
uppermost

uppermost in your thoughts and remember always, that kings of England are only born for the good of their subjects.—— Study his honour, correct his errors, and, above all things, guard him from flattery; guide his leisure to manly employments and rational amusements, so as to preserve him from the enervating delicacies of a court. In your ministerial capacity forget all private connections and party factions; despise all but the friends of your country; be bold in every thing, where conscience does not oppose your career; remember always, that Great Britain is an island, and that nature, by detaching it from the continent, has rendered our situation particularly fortunate; and has pointed out to us, in what element our chief strength and support is placed. Cherish, upon all occasions, our seamen, and be watchful of our naval armaments. Ever oppose, with your whole interest, a greater number of land forces than are absolutely necessary. A sovereign in full possession of the affections of his subjects, will never stand in need of soldiers to defend him; he need not fear a competitor, nor can domestic dangers alarm him. He will easily distinguish which of the powers upon the continent are his natural and political enemies, and which are so situated as to require his friendship and alliance. He will never lose sight of the necessary improvements and encouragements in trade, both at home, and to his colonies, and upon all occasions he will carefully attend to the remedying of grievances and complaints,

I am, &c.

*On the three Capital Grievances of the Nation.*

S I R.

**I**T is a matter of wonder to me, that the nation, or so great a part of it, as seems now to be agitated, should be so very much alarmed at one grievance, that of the exclusion of Mr. Wilkes from a seat in parliament; while points of a still more interesting nature, have been tamely submitted to by the whole nation itself. The three capital grievances, under which it has long groaned, are the gradual corruption of p——t, by placemen and pensioners; the slow augmentation of a standing army, and the vast accumulation of the public debt. These are evils, so little foreseen at the revolution, so little to be suspected of gaining any establishment among us, in so short a space of time as four-score years, that a man would have been reputed mad, who should have ventured to hint the danger or probability of such events, even at a much longer distance of time.——Such, however, is the uncertainty and fluctuation of human affairs, such is, and has been, the general disposition of government, to depart from the principal end of its own institution, that it has, even since that period, been adopting the very measures that would have prevented any revolution in favour of civil or religious liberty from falling out in this, or any kingdom.

Had James the second been supported by a parliament, filled with placemen from the army and navy, with lawyers, and the  
song



sons of noblemen; had his ministers been guarded by a standing army; had so many thousand families been attached to the crown, from so great a public debt, who would have dared to have opposed his measures, however despotic and unconstitutional? From what source then, has such a calm submission to these three grievances arisen? From what infatuation has it happened, that a whole nation should, with such meekness and pusillanimity, sit patient for a series of years, and see such evils gradually growing to their present dangerous magnitude, and forget, that the revolution itself, so much boasted of, as the æra of real liberty, could never have been affected, had the king been at that time supported by these pillars of tyranny and oppression. The nation is now under great alarm from the m——l power in expelling one member, under circumstances, that perhaps may not happen in a century; and yet this nation, composed of so many men of sense, as well as of large property in it, has never united its efforts, has never been roused from its abject tameness, to oppose the influence and dominion of ministers over p——ts, by their *myrmidons*, their standing army of placemen and pensioners, on their right hand and on their left. The nation, so wise, so spirited, so jealous of liberty, (as it is proclaimed by every mouth) has beheld the public debt increasing, from one million to one hundred and forty millions; it has submitted to this mortgage upon itself, and its posterity. Can this be called a seditious and turbulent people? It is a peacable, a meek, a gentle race. This kingdom, which has fought so many battles, and shed so much blood for its dear idol, liberty, has looked on the gradual enlargement of a standing army, with passiveness, with indifference, with stupidity. It has calmly beheld the officers of this dangerous establishment, to which the just rights of all nations, at this day, are sacrificed, entering the great council of the kingdom, and becoming the easy tools of the reigning minister. Is it not a patient people? It has seen annual parliaments converted to triennial; triennial voted septennial; it may see septennial become perpetual, that is, *durante vita*. It has been amused with a wonderful piece of p——tary self-denial and condescension; members of that body, accepting a place, vacate their seats, and are certain of reinfating themselves by the same venal mean that first fixed them there. This insolent chicanery, this solemn farce, has not been so much complained of, as the solitary violation of its rights in the expulsion of one man, whose presence could have done very little good to the nation, and as little evil to the m——y. For what wonder could the voice and ability of the most honest and unsuspected patriot bring about, among such a numerous band of faithful and most obedient humble servants of the minister? Yet all these political evils, of the first magnitude and danger to any state, have not bred such apprehensions and alarms through the nation, though of long standing, as one false or doubtful measure has disseminated through the kingdom.

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My knowledge of history in general, and that of my own country in particular, has confirmed me in a fixed jealousy of ministers of state: they have been the worst sort of rulers, and have almost universally abused their borrowed power, to the prejudice of the millions of fathers, and heads of families, from whom alone their masters themselves derive all their dominion, greatness and wealth. I admire and applaud the love of one's country; the principle is great and noble; nor can it be weakened or destroyed by false pretences, or by base desertions, while this shall remain a plain truth, that the peace, safety, and prosperity of millions, ought to be preferred to the grandeur, sloth and luxury of a few families. This last is the true faction in any kingdom: against which, the many must watch with a jealous eye, if they would preserve the *palladium* of civil liberty, equal laws and free enjoyment of the fruits which their own labour and industry have earned. I have now pointed out grievances truly national, and the reproach and disgrace of this kingdom, and that false system of politics pursued for near a century. And 'tis against these fundamental evils, I would wish to animate every breast; and to inspire Britons with a generous feeling, and an honest indignation against all men and all measures, that aim not at the removal of them. And surely it became all the petitioners to press these points home in this conjuncture; and if a noble spirit is kindled among us for opposing arbitrary ministers, it should catch this occasion of remonstrating against such enormous evils, which have reduced this great, this wise, this brave nation, to the state of a nobleman, who pays as much interest for bonds and mortgages, as was wont to discharge the expences of his household; which has sunk the civil magistracy into a name, a shadow of authority, to raise the military power into a dangerous intrusion and officious interposition, in cases where a good police would not want their help; and which, for the completion of our disgrace, has changed the great council of the nation, into the cabal of one man, a *premier*; who is just as insolent and infallible among his junto, as the pope is among his cardinals. When these capital grievances are redressed, and government is brought back to those first principles, which the revolution endeavoured to establish as the true ground of all future measures in this kingdom; and which every set of ministers (to the shame of this nation) hath dared to violate from that time to this; when petitioners from counties and cities (and if possible from boroughs too) shall have the spirit to name and insist on the speediest means to annihilate these oppressions, I shall rejoice, greatly rejoice, that the rashness of this present moment in expelling one man, has opened the eyes of a whole kingdom, to see its danger and provide a remedy for all its evils. My fortune, (which is not small) I would with alacrity sacrifice for the great end of attaining such general lasting good, as the entire extinction of these opprobrious grievances would confer on my country.

LEX NATURÆ & GENTIUM.

No. I. The Temple, Oct. 26.

N. B. My answer to a borough, which offered me its favour upon conditions, shall be given as nearly as I can recollect, in my next number,

S I R,

S I R,

I Promised you the speech I made to an offer of a borough upon terms proposed by a few leaders; among which number were an attorney, (the usual agent in such dirty work) an apothecary, and a baker, the present mayor, I desired them to meet me with the other freemen, at the principal inn in the town. When they were assembled, I addressed them to the purport following:

“ GENTLEMEN,

“ You cannot be ignorant, that your borough has been openly charged with the greatest venality, and within a few years publicly convicted of it. The proposals which you have made to me, carry the same stamp and spirit of corruption, only it is cloaked over with the pious pretence of giving a sum of money towards the enlargement and maintenance of an hospital for decayed tradesmen, and for the endowment of a free school. These terms would have met with the readiest approbation of my heart at any other time, or on any other account than the present. I was early taught by the living examples of the best of parents (of whose beneficence this neighbourhood was many years witness) to employ my fortune in generous acts of compassion; so that I hope I wanted not the spur and incentive of the honour you intend to confer, to urge me to such instances of benevolence, as the two useful institutions carry in themselves. But I am resolved never to do any thing that should have the least tendency to influence your votes, or to bear the most distant suspicion of clandestine corruption. My father lived near your town, respected and beloved for a course of years; you never offered the same mark of confidence and favour to him, which you have done to me. You might probably think, that his honest and independent spirit would accept of no overtures from you. You think perhaps that my integrity is not of so firm a texture as his was acknowledged to be; and therefore in this early stage of life, ambition and interest might make a readier impression upon me. Let me then suppose, that I was your member: Am I the representative of your persons and property, as well as of your sense and judgment? Am I to act by instructions from you, as a steward ought by those of his master? Or are you implicitly to confide both in my discernment and fidelity? Am I to reckon myself wiser than you all, or to receive upon every important point your united sentiments and decision? You are sensible, that the persons chosen to represent you in the national council, never consulted you upon any occasions, but acted as plenipotentiaries in their own name and right; of which conduct I conceive the utmost abhorrence and contempt. For, in lesser things, is not a steward to obey the will of his employer? Are not the officers of every parish, in affairs of any moment, to be directed by the sense of the people? Is a blind confidence expected in either case? If common sense conducts thus trivial matters in a comparative view, from what fatality flows the folly of submitting all your rights, your judgment and pro-

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perty

perty to others, who are either your servants, or your masters? Under one of these relations they must stand. If they be your servants, why do they not receive your opinion and judgment, upon the great questions annually brought before the parliament? And if you constitute them your masters, *sui juris*; they must then be unaccountable to you for their conduct. But where is the need of conveying all you have into their hands? And when have they openly and explicitly told you, that they shall regard themselves as quite exempt from all power and direction from you, as soon as you have given them a delegation to the senate? Believe me, gentlemen, that I should look upon myself as the reporter of your sense and judgment on such important motions as return every year for deliberation. I should not think it a sufficient plea to urge, as it is commonly done, that my conscience is not to be controuled by your opinion: for this declaration bears the same absurdity as that of a steward or agent protesting, that he could not, in things lawful, obey the order of his employer, who must be the principal sufferer in case of giving hurtful instructions. Had the elected considered themselves as agents and stewards for the public; or had the public duly reflected on the folly of an implicit confidence in their own servants, (for common sense, the test of all true opinions, can place them in no other relation) would not each borough, city, and county, have given their express sentiments concerning the greatest objects of government, and the heaviest burdens of the whole people? Would, in such a case, a standing army of the first magnitude, have been slowly and yearly rising over our heads, and as surely voted necessary, as it came before the grand council of this nation? Would not a more numerous *militia* have been thought a safer, a more honourable, and even a more formidable establishment to real enemies? And cannot the wisdom of this kingdom contrive it to be as little expensive as that of Switzerland? Had not the people forgot their natural weight and importance, would their deputies have ventured to extend annual parliaments to triennial, to septennial? Such an alteration required as universal a convention, as that which ratified *magna Charta*. If the primary end of government had been kept in view, or the principles of the revolution been preserved pure, would placemen in any department of the state, have taken their seat in the council of the nation, but as servants to that council, ready at its call to give all the information, that their offices enable them to give. If chancellors of the exchequer, attornies and Solicitors-general, masters of the ordinance, generals, colonels, admirals and captains, have time to spare from their particular stations, why may they not be commanded by the public, to be present *ex officio*, on account of their office, to inform the senate in any points required, and yet be excluded from voting? Had the parliament yet continued annual, and had the people retained the sense of their own importance, which alone confers dignity and character on its representatives, they must have felt this simple truth, that *myriads* must have a more enlarged experience of things, than a few deputies could pretend to.

“ In

"In such a state of things, the public debt would not have swollen from million to million, to the height of swallowing up as much money for interest only, as with faithful oeconomy of the national treasure would have been sufficient for the expences of the whole state. Such grievances could not have existed; or, if they had, under such circumstances, we had been a baser race of men than a lively and very ingenious \* writer has described us, and should have deserved the heaviest yoke of slavery, with which it is the misfortune of most nations to be born, and to find it placed on their backs from the first breath. But, in the present posture of affairs, when the reverse of this has taken place, and the right of prescription too, what could my voice do, were you the most uncorrupt set of men in the kingdom? I might speak to the walls with as much effect, as expect the genuine principles of true government, founded on common sense and universal reason, to be heard among such a band of placemen, dependents, and expectants. A situation like this, would fill my breast with an honest indignation, which, though just and proper, would only embitter my life, without the least utility to my country. Besides this painful feeling, to attend this trust, I must make many precious sacrifices of time, place, and money. Those hours, which are now happily spent in the pleasing paths of science and literature, in improving my mind, and raising my affections by contemplation on the great end of my existence, and on the great author of all beings; these must be given up for a fruitless and unavailing attendance on that place, where the laws of nature, the primary truths and principles of government and religion, (the only subjects worthy man's deepest study) not distorted and embarrassed by state-craft, or priest-craft, will find a cold reception: and where the mysteries of law, of state, and of political religion, (with a mystery of iniquity working in each) will always be supported by numerous advocates, loud and angry in defence of their own idols. I must exchange too the peaceful scene of my rural seat, which my ancestors have so much improved by the useful and salutary arts of planting and agriculture, for the smoke, the noise, and dissipation of the town. Nay, even that veneration and love to my Creator and Saviour, which I have been taught from the lips of my honoured and beloved parents, and which have been struck deep into my heart from the power of their excellent examples; even this duty must be the subject of ridicule, or be suspected of design and hypocrisy; for I have observed, what a very worthy and very excellent author says to be true, that among our very fine folks, we see as little regard to our Maker, in their public and private behaviour, in their families, in their most retired conversation, as travellers and sea captains report of the inhabitants of the Cape. I must live there a stranger to the genuine feelings of my nature. I must affect the narrow sentiments of

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\* The adventures of an Atom.

a man of honour, in the place of the comprehensive duties of an honest man. I must seem to acknowledge God only by stealth; be as reserved in belief of his glorious providence, and of his love to mankind in his revealed will, as if it was the sign of a weak understanding, or the index of a bad heart. The money which I now bestow on the noblest offices of humanity, must be expended on purposes, that will rob me of the immediate and refined pleasures resulting from every act of benevolence, as well as weaken that sacred and exalted hope, which tells me, that I am paying with his own gifts, the just debt of love and gratitude to the great donor of all things; who will also, from his infinite bounty, look upon these acts of duty as a kind of claim for perfect happiness in another life. Pray, gentlemen, for what am I to resign these valuable enjoyments and comforts of my being? I am ready to serve my country: I love it by instinct, and by reason too: I would with the greatest readiness devote my time and fortune, if I thought myself capable of rendering it any effectual service, but, at present, I could do the public no good; for, unless a reformation in the greatest political evils before pointed out, led the way, nothing should invite me to have any connections with the state. Perhaps my idea of reformation may be too perfect for this age, so void of real patriotism, though it be not built on speculation, but on that which has been, and therefore may be again. And indeed no reason can be found against the attempt, but the most stupid of all, that wrong, very wrong measures must be pursued, because they have a kind of sacredness thrown over them by their old age of seventy years. I shall now take my leave of you with one piece of friendly advice: As I would not ensnare your consciences by any mental reservation, or equivocating oath for the best place under the government; so I will not be so base as to do it to serve you. I advise you then to put the highest value on your peace of mind, and let not the gold of any man, like your selves, with only ten fingers and ten toes, buy you to prostitute your character as men, your greater name as christians. For no man will dare to bribe you, but he that intends to serve himself at your and your country's expence; and who most heartily despises you, while he is paying you the fatal wages of venality, of perjury before God, your judge, and Sovereign."

The attorney, when I had ended, said, that I was a worthy and good gentleman, and that he wished the house was filled with only such men as myself; but he doubted there was not a number sufficient in the whole kingdom for that purpose. I thanked him for his good opinion, and retired, leaving them to that reflection and confusion, which so unexpected a speech must naturally throw them into.

LEX NATURÆ & GENTIUM.

No. 2. Temple. Nov. 4.

POLITICAL

## POLITICAL INTELLIGENCE.

A dispute having arisen at Boston in New England, and some violent proceedings having ensued thereupon which are very alarming, and tend to shew that there is an irreconcilable animosity subsisting between the officers of the revenue and some of the principal inhabitants, we have thought proper to record in our register, the most interesting circumstances in the narratives of the contending parties—not doubting but our readers will have frequent occasion to refer to this transaction before the affairs of New England are finally adjusted.

*From the Massachusetts Gazette, Boston (New England) Sep. 4.*

## ADVERTISEMENT.

**W**HEREAS I have full evidence\*, that Henry Hulton, Charles Paxton, William Burch, and John Robinson, Esquires, have frequently and lately treated the character of all true North Americans in a manner that is not to be endured, by privately and publickly representing them as traitors and rebels, and in a general combination to revolt from Great Britain. And whereas the said Henry, Charles, William, and John, without the least provocation or colour, have represented me, by name, as inimical to the rights of the crown, and disaffected to his Majesty, to whom I annually swear, and am determined, at all events, to bear true and faithful allegiance; for all which general, as well as personal abuse and insult, satisfaction has been personally demanded, due warning given, but no sufficient answer obtained.—These are therefore humbly to desire the lords commissioners of his Majesty's treasury, his principal secretaries of state, particularly my Lord Hillsborough, the board of trade, and all others whom it may concern, or who may condescend to read this, to pay no kind of regard to any of the abusive misrepresentations of me or my country, that may be transmitted by the said Henry, Charles, William, and John, or their confederates, for they are no more worthy of credit than those of Sir Francis Bernard, of Nettleham, Bart. or any of his cabal; which cabal may be well known from the papers in the house of commons, and at every great office in England.

JAMES OTIS.

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\* The evidence here mentioned consists, amongst other articles, of depositions made by Charles Paxton and the rest of the parties to the effect mentioned in this advertisement, to which are annexed copies of some of these depositions which Mr. Otis had procured from London, having been transmitted by the custom house board at Boston to the secretary of State for America. They are too long to find a place here, but the consequences that followed the publication of them appear in the following intelligence.

*Boston.*

*Boston, New-England, September 7.*

Early on Tuesday evening last, a difference arose at the British coffee-house in this town, between James Otis, Esq; and John Robinson, Esq; the latter demanded satisfaction for certain expressions in a publication signed by Mr. Otis, in the Boston Gazette, of Monday last. After a proposal on the part of Mr. Otis to decide this controversy by themselves in a separate room, which was consented to by Mr. Robinson, very unexpectedly to Mr. Otis, and while he was rising, Mr. Robinson in the presence of the public company, in the coffee-room, attempted to pull him by the nose, and failing in the attempt, he immediately struck him with his cane, against which Mr. Otis defended himself, and returned the compliment. A close engagement then ensued, and Mr. Otis having disarmed his antagonist, several persons in the room fell upon Mr. Otis, some of whom held him, while others struck him with cutlasses, canes and other weapons, and the general cry was, kill him! kill him! A young gentleman, Mr. John Gridley, passing by the room, and seeing Mr. Otis treated in so ungentleman-like and barbarous a manner, and without a friend near him, pressed in, and endeavouring to interpose, was also attacked in the manner Mr. Otis was, by as many as could come near him, and after a resolute and manly defence of himself, was at length overpowered by numbers.—By this time several others had got into the room, whereupon Mr. Robinson and those who were with him, retired through the back-door of the coffee-house.—Mr. Otis and Mr. Gridley were carried off much wounded, and it is thought, had not the people come in to their assistance, the consequence of this ungenerous assault would have been fatal. The company in the room, when Mr. Otis was first attacked, consisted chiefly of the officers of the army and the revenue, and it is allowed, without contradiction, that both Mr. Otis and Mr. Gridley acquitted themselves with a spirit and resolution becoming gentlemen and men of honour.

Mr. Robinson in his justification published, in the same Gazette, an account of a long conversation between him and Mr. Otis, previous to the meeting at the coffee-house, and then gives the following narrative of the transaction there.

“ The matter thus rested until Monday, when Mr. Otis’s publications appeared in the Boston Gazette, and country journal, signed by himself; upon which I shall make no further comment, than that they must be viewed by the impartial world as very injurious to my character, and derogatory to my reputation; and considering his scurrilous treatment of me in particular, few men, I presume, would be able to command themselves upon so trying an occasion. On the evening of the next day, Tuesday, I went to the coffee-house, between the hours of seven and eight, and seeing Mr. Otis without a sword, I went into a back room, where I laid mine aside, and immediately returned into the public room. I then addressed myself to Mr. Otis, in these words, or to this effect. Some days ago



ago you wanted a free conversation with me, now I want a free conversation with you : he immediately stood up in a great rage, and said, he was ready to answer me in any manner ; I replied, have a little patience ; and let me ask you, whether I did not repeatedly tell you, when we met the other day, that if I had done you any injury, I was ready to give you that satisfaction you had a right to expect from a gentleman ? How therefore could you publish the account in Edes and Gill's paper of yesterday ? It was proposed by some persons ( his friends, I suppose ) that we should go into a room. I said, that I had been into a room with him once already ; and perceiving that he frequently menaced me with his stick, took him, or at least attempted to take him, by the nose. What followed is known to the company, to whom I appeal for the truth. All I can further say, is, that I verily believe no man besides myself struck Mr. Otis, nor even offered him the least unfair play (of which ample proof may be produced, if necessary) though, I am informed, that more than one person, besides my antagonist, attacked me.

If it should be thought by some, that in every part of this transaction I am not altogether to be justified ; yet, to men who have nice sentiments of honour, I shall not be thought an high offender ; and I hope every one will have so much candor as to make a just allowance for the frailties of human nature, which cannot easily bear such gross provocations and indignities.—I even flatter myself, that Mr. Otis, in his cooler hours, will allow that his treatment of me was such, as could “ not be endured ” by any gentleman.

JOHN ROBINSON.

*Extract of a Letter from Pensacola, dated August 19, 1769.*

“ **I** F the Spaniards do not take this province from us, it will soon become of consequence.—On the 2d instant arrived at New Orleans, General O' Riely, to take possession of Louisiana for the King of Spain ; they write me, he has brought with him 4500 troops ; but from the number of transports, I do not suppose they could have brought above 2500 or 3000 ; and if they had no intention of employing them any way else, that is too many by 2000.—We have certain intelligence, that for some time past, the Spaniards at the Havanna have been tampering with some of the Creek Indian chiefs, and next month are to have a congress with them at Apaichicola river. The Spaniards want land to make a fort there, which if they procure, can make themselves masters of this province when they please, and probably prevail on the Indians to go to war with the neighbouring provinces.—It appears, the Spaniards are determined to drive us out of the province if they can ; they are exceedingly jealous of our being so near the coast of Mexico ; and in case of a war, our being able, from the situation of this port, to put an entire stop to their trade in the bay of Mexico.—Most of the French at New Orleans seem determined

determined to leave that place, and come and settle on this side of the Mississippi.

London, *November. 5.* Letter from Cadiz positively affirm, that a secret expedition is on the point of being put in execution by the court of Spain.

By a gentleman who has lately been at Toulon, we are informed, that they are working with the greatest diligence, to raise a formidable fleet. The gentleman landed from Italy, and in going through the port, counted seventeen new ships of the line quite finished, besides a number of frigates. Being known to be English, he was detained a quarter of an hour in the Italian Felucca before he was allowed to land, and as soon as he landed was led to the guardhouse and detained there until a grenadier came to conduct him to the commandant. During his stay in the guardhouse, he was not suffered to go near the door, and was made to retire, and not with French politeness, from the window which looked towards the port.

8th. *The following Account of the Introduction of the Lord Mayor to the Lord High Chancellor, may be depended on.*

When the recorder met his lordship at the lord chancellor's, and was to present him for approbation with an eulogium on his character, as is usual upon such occasions, the city orator delivered himself exactly in the following words :

" My lord, I beg leave to present for your lordship's approbation, Mr. Alderman Beckford, who has been elected lord mayor by the livery of the city of London, and approved by the court of aldermen, notwithstanding he is rendered incapable of exercising the office, by an express bye-law of the city." To this my lord chancellor answered pretty nearly as follows :

" Notwithstanding the singularity of this introduction, I have the pleasure of being able to give an intire approbation of the present choice of the city of London. The repeated election of Mr. Beckford to the high office of lord mayor, is a most honourable circumstance for him ; and the long knowledge I myself have had of him, makes me think the choice of such a magistrate reflects honour on his electors. Mr. Beckford's conduct with regard to the public, and the independency he has always maintained, has established his character for integrity, to which I am glad to find the citizens of London have affixed their seal."

9th. This day the worthy and truly patriotic lord mayor, the right honourable William Beckford Esq. was sworn into his high office with the usual solemnity at Westminster ; and on his return to Black Fryars, his lordship was conducted to Guildhall, amidst the joyful acclamations of his fellow citizens, who seemed to vie with each other, in the testimony they gave him of their signal approbation of his public conduct, and of their veneration for his private character. The procession was splendid, but not so extensive as usual, owing to the ill-judged absence of most of the aldermen ; but his lordship had the happiness to read the sentiments of the body of the people, in the hearty congratulations he received from the real friends of their country.

The

The earl of Temple, the lord chancellor and the two sheriffs partook of the distinguished applause of the citizens on this joyful occasion.

11th. Yesterday morning came on in the court of common pleas, in Westminster-Hall, the long depending and important trial between John Wilkes, Esq; and the earl of Halifax, which lasted from nine in the morning, till eight in the evening, when the jury, after being out of court near three quarters of an hour, returned, and brought in a verdict for Mr. Wilkes, and 4000l. damages. Lord Weymouth and Lord Rochfort attended about an hour in the morning, with some papers relative to the trial, and after being asked a few questions retired. The right honourable Lord Temple, Humphry Cotes Esq; and Arthur Beardmore, were the principal evidences for the plaintiff; and Philip Carteret Webb, Esq; late solicitor to the treasury; Lovel Stanhope, Esq; law clerk, and Mr. Watson, a messenger, were examined in behalf of the defendant. The council for Mr Wilkes, were Mr. Serjeant Glyn, Mr. Serjeant Leigh, and Mr. Davenport.—Attorney, Mr. Reynolds, under-sheriff. Council for Lord Halifax.—The Serjeants, Davy, Whitaker, and Nairs. The jury after giving their verdict, were much insulted by the numerous assembly, who had crowded into the hall, on account of their bringing in the damages but one fifth part of the sum laid to in the indictment.

The following article has been the subject of much debate, the indemnification of the servants of the crown for the errors they may commit in office, out of the public treasury, has raised a fresh outcry against the measures of government; but we are afraid the old plea of precedent, for time out of mind, will be urged as an excuse for this measure, and to this perhaps may be added, the sanction of royal prerogative, which cannot screen an offending officer from public justice, but may have a right to support his expences while under prosecution for any mistakes committed in an office immediately under the direction of the crown. Be this as it may, we certainly ought to think the fine more than sufficient, which is thus to be levied from the public. Nor can we possibly think, that the utility of the cause to the nation, at all rested on the sum to be granted for damages. The condemning the proceedings of the secretaries of state in issuing general warrants was the point of national importance, and this has been done in so full a manner, that it is absurd to think any future secretaries of state will presume to revive them.

*COPY from the Treasury Minute-Book produced on Lord Halifax's Trial.*

*Whitehall, Treasury Chamber, 31st May, 1765.*

Present MR. GRENVILLE,  
LORD NORTH,  
MR. HUNTER,  
MR. HARRIS.

“ Mr. Chancellor of the Exchequer signifies to my lords his majesty's pleasure, that all expences incurred, or to be incurred,  
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in consequence of actions brought against the earl of Halifax, one of his majesty's principal secretaries of state, the under secretaries and messengers, and the solicitor of this office, for proceedings had by them in executing the business of their respective offices against the publishers of several scandalous and seditious libels, should be defrayed by the crown; and that a sufficient sum of money should be, from time to time, issued to the solicitor of the Treasury, for that purpose.

"Read a paper received from Mr. Webb, stating what the expences are likely to be, and that a farther sum of 3000l. may probably be wanted for discharging the same.

"Issue to Mr. Webb, from time to time, as the said services may require, a sum not exceeding 3000l. directing him to apply the same according to his majesty's commands, to discharge the several expences above-mentioned."

It is well worthy of notice, that for the further security of the said earl, he obtained previous to his going out of office in 1765, a privy-seal; that is, a warrant sealed by the lord privy seal (who at that time was the duke of Marlborough) for an indemnification of whatever damages Mr. Wilkes might recover of his lordship, in the action that was then commenced.

27th. The fleet of twelve sail of the line, now almost ready for sea, laying at Cadiz, of which mention has been made in the public papers, are commanded by Vice-admiral Reggio. Several of commodore Spry's people, when at Cadiz, went on board the admiral's ship, and declare they are completely mann'd, victualled, and ready for sea, are in general, new ships, extremely well built, and appear by their construction to be no ways inferior to any of the royal navy of England.

## AN IMPARTIAL REVIEW OF NEW BOOKS.

*Letters to the Ministry from Governor Bernard, General Gage, and Commodore Hood. And also Memorials to the Lords of the Treasury from the Commissioners of the Customs. With sundry Letters and Papers annexed to the said Memorials.* Boston: New England, printed by Edes and Gill, London reprinted for J. Wilkie, 8vo. 2s. 6d.

**T**HIS collection of letters and memorials is very injudiciously published out of place, which circumstance seems to have arisen from the inattention of the bookseller who published the letters reviewed in our last number, page 295, for we are informed, that Mr. Almon could not be ignorant that the present collection had been printed by Messieurs Edes and Gill at Boston, and actually formed the first part of this important correspondence, probably however, his interest might suggest to him, that the volume which ought to have been first published at London might fall into other hands; and therefore it was best for him to make the most of what he had got as fast as possible. To some such artifice in trade he public must ascribe the impropriety of the present publica-

tion, containing the first part of Governor Bernard's correspondence with the ministry and divers other letters and memorials, which should have preceded Mr. Almon's second part, or conclusion of that correspondence, published by him some time since, and by us amply reviewed in due course of time, not expecting any other pamphlet on the same subject.

If advice may be offered to the booksellers concerned, we recommend to them a joint advertisement of the whole correspondence in two parts, printed for Messieurs Almon, and Wilkie—and to the public we are bound in duty to give this information, that either part, without the other, is not worth a fourth part of its price, but that both together form a regular complete correspondence, on a most interesting subject—The contest between administration at home, and the people of New England, as also the misunderstandings between them and their Governor, with their reciprocal complaints.

The letters from Governor Bernard now before us bear date from January 21, 1768, to October 14th of the same year.

The letters reviewed in our last number, commence November 1, 1768, and conclude December 5, of the same year. So that we have nothing to add to our observations on the former collection, but that these letters contain all the preparatory measures to the disagreeable events recited in the others and already fully discussed; we mean, the arrival of the troops at Boston and the quartering of them, which threw the Colony into a fresh flame. It appears likewise from these letters, that Mr. Bernard's pen was never idle, whenever the most frivolous, the most trifling altercations arose between him and the council, or when the most insignificant rumours of opposition to any of his measures furnished him matter for a letter. In short, he is constantly complaining home, when he should have been rectifying mistakes in his government, and conciliating the minds of the people, and he does not even omit the personal inconvenience he was exposed to “in being hastily summoned to come to council from his country seat, at the immense distance of four miles, in the midst of a storm of wind and rain.” If such stuff as this is, serves to fill up dispatches from our Governors and Ministers abroad, and we are afraid it is too often the case, having seen some of the same species, those who are obliged to read them at home are greatly to be pitied. The charge brought by the council of the province of Massachusetts-Bay against Mr. Bernard, in their vindication of themselves to lord Hillsborough “that he aimed at introducing alterations in the constitution of the Colony,” see our last number, page 297 to 303, is proved by his own letters in the present collection, for he is continually advising, the

the administration at home " to take the power of electing the council annually, out of the hands of the people, and to vest it in the crown." His soliciting military and naval forces contrary to the sentiments of the Colony is laid open in this correspondence, and he frequently betrays great timidity and concern for his own safety, which probably was his strongest inducement to procure such an unnecessary and unconstitutional aid.

The letters of the Earl of Hillsborough to General Gage, Commodore Hood, and Governor Bernard, in this collection, are in order of date, to follow as a supplement to the collection published by Almon, they are written in consequence of the arrival of the troops and the men of war, and of the difficulties concerning quartering the troops, and contain a general approbation in the King's name of the conduct of the respective parties to whom they are addressed.

Memorials are annexed to these letters from the commissioners of the customs at Boston to the Lords of the treasury from June 16, to July the 11th, 1768, also the letters that passed between the said commissioners and Governor Bernard, General Gage, Commodore Hood, and Colonel Dalrymple at Halifax, all which relate to the well known disturbance on the 10th of June, 1768, and to their proceedings therein, in which a spirit of pride and revenge is manifest, and they appear to have exceeded the duties of their office by writing in their own names for troops to be sent by Colonel Dalrymple from Halifax, after the governor had applied to the council, and it had been determined that the requisition of troops by the governor and council was unnecessary and inexpedient: this step was the more criminal and unpardonable, as they were already protected from all personal danger by the men of war, and as to the exercise of their functions, they might have left their restoration to the care of government. No wonder the inhabitants were incensed against them—but is it not surprising that his Excellency Governor Bernard, who was so jealous of any infringement of his authority on the part of the council or of the general assembly, that he is always complaining of it, should pass over in silence, this open exercise of supreme authority usurped from him by the commissioners of the customs, in writing to Halifax for troops?

The depositions of the officers of the customs who were ill used on the 10th of June are here inserted, seemingly with a view to aggravate the irregular proceedings of the inhabitants on that day; but nothing therein contained nor, in the several letters and memorials relative thereto in this collection tends to exculpate either Bernard or the officers of the customs—the point in view by this publication.

*The*

*The Speech of the Right Honourable George Grenville, in the Motion for expelling Mr. Wilkes, Friday February 3, 1769, 8vo. Albin, 1s.*

THE published title of this speech makes no mention of the very able personage who spoke it; it is there only said to be the speech of *a right honourable gentleman*, but to what purpose the name is omitted we cannot possibly imagine, when almost every sentence in the speech itself points out its author so strongly, that it is impossible to impute it to any other but Mr. Grenville, and quite absurd to suppose, that either himself or his friends meant that it should be concealed from public notice, that he had made such a speech on the important motion of February 3, 1769.

It becomes the critical, accurate reviewer of all literary productions, to deliver his sentiments freely on every circumstance attending publications, we hope therefore it will not be taken amiss, if we throw out a hint, that there seems to have been no occasion for any mystery about the title, nor yet for the apparent chicane in the advertisement. It would have been more consonant to the known ingenuous, candid, and open disposition of the speaker, if what must be discovered by every reader of common capacity before he proceeds two pages, had been mentioned in the title; and if it had likewise been owned that the truly respectable and honourable gentleman is of too much consequence in the world, for any bookseller to have dared to submit an imperfect copy of his speech, however he might come by the possession of it, "to the perusal of some gentlemen who had heard the speech delivered, in order that they might supply the defects, and make it perfect for the press," without imparting the design of publishing it to some of Mr. Grenville's friends. In a word, a discerning critic will be induced to call in question the declaration in the advertisement, that it is published without *the knowledge* of the right honourable gentleman who made it. Since, if the intention was so much as hinted to him by any friend, in the most distant manner, supposing it to be without the knowledge of the bookseller, yet if it gave Mr. Grenville an opportunity of forbidding the publication, and he did not do it, we may subscribe to that part of the advertisement which informs us, that it is published without the approbation, or consent, but can never suppose that it appeared without the knowledge of the right honourable gentleman.

The excellency of the speech, the credit it must give the author, with a people who are but too apt to listen to every idle tale promulgated by statesmen to the disadvantage of their predecessors in office, and who had entertained a notion from his conduct with respect to America, that he was no friend to the natural and civil rights of mankind, render both the publication and the avowal of this piece, highly expedient.

The following precaution in the advertisement merits the notice of all who may peruse either the speech itself, or any remarks on it.

“ To prevent the reader from confounding the subsequent proceedings against Mr. Wilkes, with that which gave occasion to this speech, the fatal consequences of which are therein so clearly predicted, it may be proper to remark, that Mr. Wilkes was first elected for the county of Middlesex, on the 28th day of March, 1768, that he was expelled on the 3d of February, 1769, the day on which this speech was delivered; that he was rechosen for Middlesex the 16th day of the same month; that his election was declared void, and himself incapable of being elected into the present parliament on the 17th of the same month; that he was again elected on the 16th day of March, when no other candidate appeared except Mr. Dingley, who had not one vote; that his election was again declared void on the 17th of the same month; that on the 13th day of April he was returned by the sheriffs, as having 1143 votes, and Colonel Luttrell only 296. That on the 15th of the same month, the house of commons voted, “ that Mr. Luttrell ought to have been returned; ” and that gentleman took his seat accordingly. That a petition from several freeholders of the county of Middlesex having been presented against Mr. Luttrell on the 29th day of April, the house of commons voted on the 8th of May, “ That Henry Lawes Luttrell, Esq; is duly elected a knight of the shire, to serve in this present parliament, for the county of Middlesex.”

The motion which occasioned the speech in question, was made by Lord Barrington in the following terms. “ That John Wilkes, Esq; a member of this house, who hath at the bar of this house confessed himself to be the author and publisher of what this house has resolved to be an insolent, scandalous, and seditious libel, and who has been convicted in the court of King’s-bench, of having printed and published a seditious libel, and three obscene and impious libels, and by the judgment of the said court has been sentenced to undergo twenty-two months imprisonment, and is now in execution under the said judgment, *be expelled this house.* ” This equitable motion was seconded by the virtuous, the sober, the temperate, the conscientious, the modest Mr. Richard Rigby.

The opening of the speech will support our assertion, that the name of the right honourable speaker might as well have been prefixed to the publication.

Mr. Speaker,

I have endeavoured to form my judgment with regard to this question, *which was not unexpected*, upon the fullest and most impartial consideration; and having done so, I do not think myself obliged to make the least apology to any individual or body of men whatever, for the opinion which I shall deliver upon this subject.

I should



I should indeed have wished that I could with propriety have declined delivering my sentiments concerning it, because I am thoroughly sensible that whatever my opinion shall be, it will be liable to great misconstructions and misrepresentations, both within these walls, and without doors. If I give my vote for the motion as it was made to you, it will be said that I do it from a cruel and unrelenting disposition, to gratify a private and personal resentment for the abuse Mr. Wilkes has so liberally thrown upon me, and for that purpose under the mask of zeal for the cause of God and of the King, to persevere in loading an unhappy man, who it has been frequently said in this house, has been already too severely oppressed by my means, or at least with my concurrence, or it would perhaps be attributed, especially after the temperate conduct which I have endeavoured to hold during this session, to an abject flattery to power, with the mean, paltry view of obtaining court favour. On the other hand, if I give my vote against the expulsion of Mr. Wilkes, I shall be charged with levity and inconsistency, with changing my opinion, as it may best suit my situation either in or out of office, with adopting new principles from new habitudes and connections, and with a factious design of courting popularity and distressing all legal government, by supporting and protecting a man, whose behaviour I had so repeatedly and so heavily censured. If I know my own failings, revenge and cruelty are among the vices to which I am least inclined; and if I may trust to the reproaches thrown out against me by my enemies, I have been often accused of obstinacy and inflexibility of temper, but seldom or ever I think, with being too much disposed to alter my opinions according to the will of others, or to sail along the tide of popular prejudice. I should flatter myself therefore, that the charge of sacrificing principles to court favour or popular applause, could not with justice be applied to me, notwithstanding I will again freely own, that I should have wished for many reasons not to have been under the necessity of deciding upon this question, either one way or the other. But as it has been proposed to you, I think it would be a base and unworthy conduct, meanly to hide my head, or run away from the difficulty. On the contrary, it is the duty of every honest man, if he is convinced that the judgment he has formed is a right one, to declare it publicly in his place, to abide by it, and boldly to face any difficulties which may encounter it. I am under no restraint either from this or that side of the house, I know and feel my own independence on both, and while I continue here, I will exert it, and upon this occasion execute an office greater than any which the wildest applause of the multitude can give, or than the King himself can bestow, greater than the office of First Lord Commissioner of the Treasury, or either of the Secretaries of State. The honourable office of speaking the truth, and of doing impartial justice."

This exordium in many particulars deserves our special notice before we proceed to the business of the speech. From the inaccu-

curacy of the stile. In several places we might be led to suspect the truth of the bookseller's advertisement, or the retentive memory of the gentlemen who heard it, and to whom he committed his imperfect copy for correction. Mr. Grenville has always been distinguished for elegance and correctness of style, and the greatest purity of diction. Yet here we find transgressions against the rules of grammar, of rhetoric and of common sense, when therefore we declare this to be a most excellent speech, it must be remembered that we mean not to include the introductory rhapsody, which in many other orations as well as this, rather diminishes than adds to the merits of the speech itself. It is an odd mode of expression for a man to say, and that repeatedly, "I should have wished," when that impulse of the mind appears plainly by what follows, to have been constantly present to him, but the execution of it to be over-ruled by the laudable motives there assigned. It is strange that any gentleman should be apprehensive that his sentiments will be generally misconstrued and misrepresented amongst his fellow citizens in this free state, whose affections it is at once his duty and inclination to cultivate—and yet should be an utter stranger to the publication of the speech itself, (which alone could obviate all misconstructions or misrepresentations) though not laid before the public till full eight months after the delivery. It seems also highly incongruous for any person to declare a sense, a conscious perception of the charges that will be brought against him, which ever side of the question he takes in an important debate, then to make a kind of self examination and expurgation relative to these apprehended charges, and finally to sum up the whole by flattering himself that they could not with justice be applied to him—this is really setting up an enemy for the pleasure of beating him. Nor is it possible to form any tolerable idea of the metaphorical affinity between the office of speaking the truth, and the offices of First Lord Commissioner of the Treasury, or Secretary of State, which seems to be introduced into this exordium as it now stands in print, merely to supply the defect of the title page, and to inform us that the right honourable speaker is Mr. George Grenville, who was formerly First Lord Commissioner of the Treasury, and at different periods Secretary of State for the Southern and the Northern departments. If the bookseller had omitted his mysterious advertisement, we might have been spared the trouble of this criticism on the exordium.

The speech itself merits our warmest applause, and should be found in the hands of every well-wisher to the freedom of his country, and the dignity and independency of parliament. Herein we may learn that the generous, truly patriotic Briton, should not confine his political ideas within the narrow circle of private party, it is not an attachment to this or that man, that can preserve our constitution from subversion, but a careful attention to every infringement, every violation of its first principles. Though the motion which produced this speech, related personally to Mr. Wilkes, the representatives of a whole nation assembled

assembled in parliament are not bound to take upon them to redress the injuries Mr. Wilkes pretends he has received as an individual from administration ; but it is their indispensable duty to take care that their own rights and privileges which form the democratical part of our constitution be not violated in his person. The right honourable gentleman is perhaps the first, who has nicely drawn the line of distinction between being a mad votary to a man, who considered as a private individual, is deserving not only of the highest censure, but of severe punishment ; and an advocate for the member of parliament, the representative of a county duly elected to serve that county, in a public capacity. What he advances on this part of the subject appears indeed to be the genuine voice of truth and impartiality.—, I cannot agree with those who have urged in behalf of Mr. Wilkes, that this motion ought not to be complied with, because he is already the most unhappy, as well as the most injured man that this age has seen : he is indeed unhappy, because he is guilty, and guilt must ever produce unhappiness ; but in other respects, considering his repeated offences, he has certainly been more fortunate, than his most sanguine wishes could have expected. To justify what I have said, let me ask a few questions. When he wrote that seditious libel against the King and both Houses of Parliament, could he foresee that he should be taken up by a general warrant, against the declared opinion and desire of the two secretaries of state, who repeatedly proposed to have his name inserted in the warrant of apprehension, but were over-ruled by the lawyers and clerks of the office, who insisted they could not depart from the long established precedents and course of proceedings ? Could Mr. Wilkes foresee, that after an hundred years practice, under the eye of the greatest lawyers before the supreme courts of justice, without being ever questioned in one single instance, that this irregularity and illegality would be first found out in his case, and afterwards adopted by the voice and clamour of the people upon the occasion of his apprehension ? Had he been tried and convicted without this irregularity, what would have been his situation, and where his popularity and the liberal support he has met with ? What would have become of the large damages which he has already obtained by this means, or the immense sums which he now sues for, and on which he places his last dependance ? Are these the proofs that he has been the most unfortunate, or is it more true that he has been the most oppressed and injured man this age has seen ? Dr. Shebbeare was taken up by a general warrant from the secretary of state, dated January 12, 1758, conceived word for word in the same terms, for writing the 6th letter to the people of England on the progress of national ruin, in which is shewn, that the present grandeur of France, and calamities of this nation, are owing to the influence of Hanover on the councils of England. Under this general warrant, all his papers were seized, as in the case of Mr. Wilkes, and he was prosecuted for this offence by Mr. Pratt, then Attorney-General, now Lord Chancellor

cellor of Great-Britain. He was tried and convicted of it on the 17th of May, and on the 28th of November following he was sentenced to be fined, to stand in the pillory, to be imprisoned three years, and then to give security for his good behaviour for seven years. *The prosecution against Mr. Wilkes was directed by the unanimous consent of both Houses of Parliament.* He was tried and convicted by a favourable jury, for a libel certainly not less seditious or criminal than Dr. Shebbeare's. He was sentenced to be fined five hundred pounds, and to be imprisoned for one year, instead of three years, and the ignominious part of the punishment was wholly remitted. He was tried and convicted likewise for being the author and publisher of three obscene and impious libels, upon a prosecution directed in consequence of an address from the House of Lords, for which he received exactly the same sentence as for the former offence. Was he for either of these offences, or indeed for all of them taken together, so severely dealt with as Dr. Shebbeare for one alone? I do not go any further back, though a multitude of similar instances, and some more severe even than that of Dr. Shebbeare might be produced within these last forty or fifty years. What I have already mentioned seems to me fully sufficient to shew, that Mr. Wilkes is not entitled to any extraordinary favour on the present occasion, from the plea of his having been the object of extraordinary severity, during the course of the former proceedings."

Surely every impartial man in the kingdom must be of the same opinion, after this clear state of his case; and it certainly would convince the multitude, that they have been grossly misled in making the cause of Liberty and of John Wilkes one and the same; if the same methods were taken to appease them, as he employed to heat their imaginations—to set three or four presses to work to print off 150, or 200,000 extracts of this part of Mr. Grenville's speech, to be distributed in hand-bills, and as many ballads suitable to the occasion, to be bawled through the streets at all hours of the day. Men are often taxed with varying their political sentiments, here a strong proof is given that it may be done consistently and honestly—for I might think Mr. Wilkes the most unfortunate and the most injured man of this age, till I met with this strong evidence to the contrary, and then neither honour nor honesty require me to adhere to an opinion which is totally overset, by the testimony of incontrovertible facts—Surely it is high time for the people to advert to more important concerns, and to leave this singular man to himself, who if he borrows nothing else from Scotland will make the most rigid use of the motto of the knights of the Thistle—*Nemo me impune lacesset.*

The arguments against the expulsion of Mr. Wilkes on the motion of Feb. 3, 1769 are irrefragable. It is very justly observed, that the charge brought as a reason for the expulsion is complicated, and therefore the question ought to be considered separately by every individual member in all its different branches, and no decision be given upon the whole as it stands together in

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its complicated form. The attempting to decide upon a complicated motion in a judicial capacity is new, unprecedented, and unsupported by law and the usage of parliament. It is likewise dangerous and unjust. Mr. Grenville takes notice that not above two gentlemen who spoke on the same side, agreed in assigning the same offence as the proper ground for the expulsion, and that great numbers of gentlemen approved of some parts of the charge, and disapproved others; and this points out the necessity of considering each article apart. Accordingly after having demonstrated the capital injustice, and dangerous consequences of taking up the motion collectively, he proceeds to the discussion of each point separately, which he very aptly calls unravelling the web, for a web of ministerial folly it certainly was, for reasons which we shall assign in the course of our extracts from this speech.

“ The first charge which presents itself is the libel relative to Lord Weymouth's letter, which has been new christened for this special purpose. It was complained of in the House of Lords as a breach of privilege, and as a gross and impudent libel, which it certainly is, against a peer of the realm. But when it appeared to be written by Mr. Wilkes, it was to change its name and its nature. The particular complaint and all mention of the noble lord concerned in it was dropped, and it became at once a matter of sedition against the state. With what view was this alteration made? Why did not the House of Lords address the King to have it prosecuted by the attorney-general, in the same manner as was done with regard to the three obscene and impious libels which were written by the same person, then a member of this house, and were likewise complained of as a breach of privilege against a peer of parliament?—The reason to be assigned for shifting the jurisdiction, and instead of sending it to the courts of law, where libels against ministers have hitherto always been tried, transmitting it to the House of Commons appears to have been that they might punish it, contrary to all precedent and example, by an extraordinary extension of their judicature, and the bad consequence of such proceedings in that house are fully pointed out.

The next article is the libel of the North-Briton, for which Mr. Grenville, with great justice declares he could not be punished twice, and he states the difference between the heinousness of that offence, and a libel on any particular person, or minister of state.

The third article in the motion, is for printing and publishing three obscene and impious libels, under the title of the Essay upon Woman; after remarking that all the calumny that was propagated about the undue manner of obtaining these papers was groundless, and has since fallen to the ground by the evidence of Mr. Wilkes himself, at the bar of that house; he informs us, that the strongest plea in his defence is, that the crime was committed five years ago, that the law has already punished it, that the last House of Commons, though they were not ignorant

rant of it when they proceeded against him, and certainly were not partial to him, yet as they were not particularly concerned in it, did not think it right for them to interfere in it. It might therefore be thought a hardship to him to let it pass unnoticed by them, and many years after to transfer it to another parliament, and to reserve it in so unusual a manner for a fresh censure.

The last article of this complicated charge is, that Mr. Wilkes has been sentenced by the judgment of the Court of King's-Bench to undergo twenty-two months imprisonment, and that he is now in execution under that judgment. This circumstance we are told was principally relied upon, and enforced by Mr. Jeremiah Dyson, who laboured very strongly to prove, that as Mr. Wilkes is thereby disabled from taking his seat, and doing his duty for sixteen months to come, this disability alone is a proper and sufficient ground for the motion. The most masterly arguments, and the most striking precedents are produced to refute this idle proposition, for which we refer the reader to the speech itself, as this part of the subject is too copious to be extracted.

Against prosecutions of this sort in the House of Commons, Mr. Grenville urges the following cogent reasons, supported by examples.—“ That precedents of this nature are generally begun in the first instance against the odious and the guilty, but when once established, are easily applied to and made use of against the meritorious and the innocent.”—The case of Sacheverell is brought to shew the imprudence of such prosecutions, and is too interesting to be omitted.

“ He became by that means the favourite and the idol of the people throughout England as much, nay more, than Mr. Wilkes is now. The Queen herself was stopped and insulted in her chair during the trial, with God save Dr. Sacheverell. I heartily wish that no similar insult may have been offered to our present sovereign. The prosecution went on and the ferment encreased. The event verified a famous expression in those days, ‘ that the whigs had wished to roast a parson, and that they had done it at so fierce a fire, that they had burnt themselves,’ for the ministers were dismissed, and the parliament dissolved. The reverend doctor, the mob idol, when he ceased to be a martyr, soon sunk into his original insignificance, from which that martyrdom alone had raised him. Mr. Wilkes, apprehensive of the same fate, and thoroughly sensible, that the continuance of his popularity will depend upon your conduct, uses every means in his power to provoke you to some instance of unusual severity. Suppose that you could otherwise have doubted of it, yet his behaviour here at your bar, when called upon to justify himself, is fully sufficient to prove the truth of what I have asserted. If he had intended to deprecate your resentment, and to stop your proceedings against him, he is not so void of parts and understanding, as to have told you in the words he used at the bar (when charged with writing the libel against lord Weymouth)

mouth) ' that he was only sorry he had not expressed himself ' upon that subject in stronger terms, and that he certainly would ' do so whenever a similar occasion should present itself ; ' nor would he have asked, ' whether the precedents quoted by lord ' Mansfield were not all taken from the *Star Chamber*.' If he had wished to prevent his expulsion, he would have employed other methods to accomplish his purpose ; but his object is not to retain his seat in this House, but to stand forth to the deluded people as the victim of your resentment, of your violence and injustice. This is the advantage which he manifestly seeks to derive from you, and will you be weak enough to give it to him, and to fall into so obvious a snare ? What benefit will you gain, or what will he lose, if this motion for his expulsion shall take effect ? Whatever talents he has to captivate or to inflame the people without doors, he has none to render him formidable within these walls, or to combat the weighty and powerful arguments which ministers know how to employ. He has holden forth high sounding and magnificent promises of the signal services which he will perform to his country in parliament, and there are many who are ignorant and credulous enough to believe them. Whenever he comes here, I will venture to prophesy that they will be grievously disappointed. That disappointment will be followed by disgust and anger, at their having been so grossly deceived, and will probably turn the tide of popular prejudice. But as soon as he shall be excluded from this House, they will give credit to him for more than he has even promised. They will be persuaded, that every real and imaginary grievance would have been redressed by his patriotic care and influence. If in this situation, any untoward accident, any distress shall befall us, the ferment will be increased by this circumstance, and the language of an uninformed and misled people will be, ' aye, if master Wilkes had been in the House ' he would have prevented it ; they knew that, and therefore ' would not suffer him to come amongst them.' Such will be the reasoning, and such the consequences attending this measure ; but they are not the only consequences which ought to be weighed and considered, before you engage in it."

We shall conclude this very ample analysis of Mr. Grenville's most interesting speech, with his judicious remarks on the conduct of the present administration upon Mr. Wilkes's return from France.

" Had Mr. Wilkes ventured to return home whilst I had the honour to be entrusted with the executive powers of the state, he should not have remained out of custody four and twenty hours, without submitting himself to the justice, or the mercy of the King, whom he had so grievously offended. He knew it, and therefore did not return till he met with more encouragement. This surely was not the behaviour, nor is this the language of one of his partizans. Compare it with the conduct of those who now hold the chief offices and authority of the government, and who call so loudly for vengeance and for punishment.

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Did they not give their support to him abroad after his conviction and outlawry, and keep up an intercourse and correspondence with him, even whilst they were the King's ministers? Was he not permitted to return to England, to appear publicly in this capital, for months together, and to walk daily under the windows of the palace unmolested, unconfined, and unpunished? They could not plead ignorance of the seditious libel against the King and both Houses of Parliament, nor of the three impious libels contained in the *Essay upon Woman*, for all of which he had been legally tried and convicted. Why then was he not called to his sentence, and the laws carried into execution, agreeable to the solemn assurances given by the King in answer to both Houses of Parliament, when they jointly addressed his Majesty to carry on this prosecution? What was become of the executive power, and how were those who were invested with it justified in suspending the usual course of the law, against the express direction of the King, enforced by the recommendation of both Houses of Parliament? What were the inducements at that time to such extraordinary favour and lenity, and what are now the motives for this extraordinary resentment and severity? The first circumstance which seems to have awakened their attention, was Mr. Wilkes offering himself a candidate for the city of London, and the county of Middlesex, against the inclination of the ministry: but the proceedings against him were then carried on like the feeble efforts of men not half awake, or not half in earnest. Many days passed over before the officers of the crown would venture to execute the common process of the law for apprehending him; and to obviate this difficulty, they had at last recourse to the shameful expedient of stipulating with Mr. Wilkes himself, the terms upon which he would consent to be taken into custody. To follow that precedent you ought now at least to ask him, upon what terms he will consent to be expelled? Perhaps, if properly applied to, he may condescend to this request as graciously as he did to the former, and as voluntarily as he surrendered himself a prisoner, when he was taken with impunity out of the hands of the officers of justice by twenty persons, almost in sight of the court of King's Bench, then sitting in Westminster-hall. Such was the firm and spirited conduct by which the supreme authority of the laws was supported and preserved. The outlawry was reversed for an error so trivial, that the court of King's Bench declared when they reversed it, that they were almost ashamed to mention it. When the judgment was given, the first law officer of the crown in demanding, it did not think proper to enforce the penalty according to custom, and it was therefore milder than usual. In the first session of this parliament, Mr. Wilkes was returned a member of it, and suffered to continue without notice taken of him! The beginning of the present session passed in the same manner. What is it then which has roused the languid spirit of administration, and called down the vengeance of the House of Commons of Great-Britain? Not the seditious and dangerous libel of the *North Briton*, nor the impious libels of the *Essay upon Woman*,



Woman, not all the extravagancies which have been urged in this day's debate ; all these were known before, and were not deemed sufficient for the exertion of the common censures of the law ; but he has since presumed to write an insolent libel upon a secretary of state. This it seems is that capital and decisive offence, which is to raise our indignation to its highest pitch. The honour of our King, and the reverence due to our religion, were passed over in silence and forgotten. They are now to be thrown into the scale, to make up the weight, and to induce us to espouse the quarrel of a minister. To accomplish this important purpose, we are to violate not only the forms, but the essence of our constitution. The House of Commons is to blend the executive and judicial powers of the state with the legislative, to extend their jurisdiction, that they may take upon themselves the odium of trying and punishing in a summary manner, an offence which does not relate to themselves, but is under the immediate cognizance of the courts of law. In the exercise of it they are to form an accumulative and complicated charge, which no other court, nor even they themselves, have ever admitted in any other instance. They are to mingle up new crimes with old, and to try a man twice by the same judicature for the same offence. They are to transfer the censures of a former parliament, contrary to all precedent, and to make them the foundation of the proceedings of a subsequent one. They are to assume a power to determine upon the rights of the people, and of their representatives, by no other rule, but that of their own inclination or discretion ; and lastly, they are to attempt to persuade mankind, that they do all these things to vindicate their own honour, to express their respect for their King, and their zeal for the sacred names of their God, and their Religion. Thus are we to add hypocrisy to violence, and artifice to oppression, not remembering, that falsehood and dissimulation are only the wrong sides of good sense and ability, which fools put on, and think they wear the robe of wisdom. If the House of Commons shall suffer themselves to be made the instruments, in such hands, to carry such a plan into execution, they will fall into the lowest state of humiliation and contempt. An individual indeed may exempt himself from the disgrace attending it, but the dishonour and odium of it will cleave to that Assembly, which ought to be the constant object of public reverence and affection. I have done my duty in endeavouring to prevent it, and am therefore careless of the consequences of it to myself."

We are sorry to find that we live in a time when it is impossible, on the subject of politics, for any man to speak his sentiments ingenuously and conscientiously, without giving offence to the contending parties in the state ; no wonder then, that in public conversation it is confidently asserted that this speech is disliked by government, and by the friends of Mr. Wilkes, who, we are told, is very impolitically preparing a fulminating answer to it.

*A word in behalf of the House of Commons: or remarks upon a Speech supposed to have been delivered by a Right Honourable Gentleman on the motion for expelling Mr. Wilkes—Dodsley, 8vo. 1s.*

THESE remarks are in answer to such parts of Mr. Grenville's speech, as are supposed by the remarker to arraign the justice of the House of Commons before the people at large. We leave it to our readers to refer to the speech, and to draw their comparison between the validity of the arguments advanced in the reply, which justifies the expulsion, and those advanced by the right honourable speaker against it. It shall be our business only to state the several observations made by the author of the remarks on the objections made in the speech to the expulsion of Mr. Wilkes on the motion of Feb. 3, 1769.

The first point considered in the speech, is, "the representing the proposition, which is now become the sentence of the House against Mr. Wilkes, as capitally unjust; because the proposition is founded upon a complicated charge, and the proceeding upon a complicated charge is asserted to be both unprecedented in the journals of parliament, and contrary to the principles of natural justice."

In vindication of the proceedings of the House we have a variety of remarks concerning complicated questions, and a number of precedents of cases in former parliaments, wherein the House has decided upon complicated charges. And the author takes notice that every member of the House has a right to have any complicated motion separated, and to consider it article by article, but if no member insists upon using that right, by demanding such a separation, the rule of parliament does not forbid the question being put as it stands, and with respect to the motion before us, he avers this to have been the case, and that neither the supposed author of the speech, nor any other person demanded a separation of it. Therefore he infers, that as complicated questions have often been put and decided upon in parliament, the House in the present case acted consistently, and are by no means to be charged in this respect with a capital injustice. Twenty-two pages out of thirty-six being employed in justifying this part of the proceedings on Feb. 3, 1769, we cannot possibly give an extract of the several cases and rules of parliament cited, but must refer the reader to the pamphlet, observing that if the cases appear to him to be similar to that of Mr. Wilkes, the House of Commons will undoubtedly stand acquitted of all irregularity in deciding upon this complicated motion.

With respect to the libel relative to Lord Weymouth's letter, which the speech represents as a libel on a minister of state, an offence which did not relate to the House of Commons, our remarker is of opinion, that it is not quite fair to stile such a writing only a libel on a minister of state, but thinks it should be

be considered likewise as a libel on a public magistrate in the execution of his office, and as such properly became cognizable by the House of Commons.

The objection to the expulsion, so far as the publishing the North Briton is made one of the grounds of the sentence, is attempted to be overthrown. It is observed that it is not *punishing a man twice for the same offence by the same judicature*, for that the present House of Commons never tried the offence at all, so that the mention made of his offence in the motion, is not by way of sentencing him afresh for it, but to prove his incapacity to serve in parliament arising from his being at the time of the motion in execution for, and undergoing the punishment inflicted on him by law for that offence; and he admits, that if at the time of the proceeding he had compleatly *undergone* the punishment, it might in that case, perhaps, with some colour, have been urged in his behalf, that the sentence of the law being satisfied, the offence itself was done away, and that he ought to be again considered as *Reus in curia*. But the sentence of the law was not satisfied; and it was in consequence of his own act merely, in withdrawing himself from justice, that he was then at so late a period *undergoing* the punishment. The publication of the three prophane and impious libels, fall under the same chain of reasoning they were offences that had not been tried by any House of Commons, consequently he could not be said to be punished for them twice by this expulsion. "It is the conviction and execution, not the offence itself, that is stated as the ground of the sentence."

The remarker in the next place, exculpates the House from the charge in the speech of having altered their conduct after the publication of the libel on Lord Weymouth's letter, and leaves the public to judge from the dates of the proceedings on Mr. Wilkes's own petition, prior to that publication, whether the House was biased by this new offence.

The only remaining part of the sentence of expulsion is, what regards the circumstance of Mr. Wilkes's being in execution, for the offences above-mentioned, and on this head our author remarks, that if in any part of this debate, any member did indeed venture to lay down such doctrine as is represented in the speech, and did make *the restraint*, abstracted from the crime, the *only foundation of this part of the argument*, the instances of members apprehended upon suspicion only, and of officers absent upon military duty, furnish undoubtedly a complete confutation. Had the person who advanced a proposition of this tenour been at all conversant in the journals of the House, he might certainly have stated one much more defensible, and at the same time as conclusive for the justification of the motion. His proposition might have been, *That whenever a member is for his crimes disabled by the sentence of the law from doing his duty here, the House is warranted by the law of parliament to proceed to an expulsion of the member so disabled*. On the whole, the remarker concludes, that the expulsion of Mr. Wilkes, on the motion of Feb. 3, 1769, has not violated the forms, or the essence of our constitution.

*The Sentiments of an English Freeholder on the late Decision of the Middlesex Election.* 4to, Doddsley, 2s. 6d.

Wherever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however coloured with the name, pretences and forms of law."

Locke on Government, Lib. 2. c. 3.

**B**Y the motto prefixed to this work, the reader will easily determine, which side of this great political question is taken up by our author, in fact, this voluminous pamphlet is written with a design to throw the highest odium and contempt on the final decision of the Middlesex election, by seating Mr. Luttrell in the house, as the legal representative of that county. It follows our review of Mr. Grenville's speech, and of the remarks on it, with the greatest propriety; because it takes up the contested subject at the time when it is dropped by them. The business of this writer being to prove, that the expulsion of Mr. Wilkes did not incapacitate or disqualify him as a candidate at any future election, of course, that his re-election was legal and valid, and the determination in favour of Mr. Luttrell unprecedented, contrary to law and to the custom of parliament, and liable to produce the most dangerous consequences. He gives us the state of the contest between the house of commons and the county of Middlesex, during a great part of the last session of parliament. "The question," says he, between them was, whether Mr. Wilkes, having been expelled by the house, and re-elected by the freeholders, should upon such re-election in the same session, be considered by the same house as duly elected, and admitted to sit, notwithstanding such expulsion? The house taking up this matter of its own accord, for its own dignity, and in order to give that effect which it thought proper to the resolution already taken, declared him in consequence of that expulsion, incapable of sitting in that parliament. Extensive as this resolution seemed to be, in time as well as matter, its operation could not have been conclusive beyond the session in which it was taken; for it is a known rule of parliament, that no resolution taken in one session, can be binding upon the next. Important as it was in matter, if it had continued exactly the same, limited in time by the forms and rules of the house to the short duration of one session, open to consideration, and repealable in the next, the inattentive public might have been inclined to disregard the dispute, to give up *perhaps too much* to the privilege and dignity of the house, to acquiesce under its authority, and admit

mit that, though the electors had a right to elect, the house might walk in the trammels of some musty precedent, and object to the admittance of the elected; clap the mace against the door, hold it fast with a strong hand, and refuse to let him sit among the pure and chaste members who assemble there.

But since a late judgment, given by the house in the exercise of its judicature, upon hearing the parties with all that solemnity which would have better become a hearing where the principal and leading question had not been *prejudged and determined in the absence of the parties*, this matter is become much more serious. It is no longer a declaration of the house of commons, hastily and extrajudicially made, and repealable without any difficulty at the mere pleasure of those who made it; it is judgment given in a cause, and a precedent set in all its forms to operate in other cases. The public might have slept over a point of privilege, but must awake to the consequences of a formal judgment. The object of the electors choice is also changed; and one, who certainly was not elected by the majority of them, is confirmed as their representative, upon the ground of the former declaration carried into effect, by determining, that the second on the poll is to be considered as duly elected, in consequence of the expulsion and declared incapacity of the first."

Our author having in this manner alarmed his readers, with respect to the consequences of this judgment which he declares to be new, to stand single and unsupported by any other, proceeds to defend the right of the people freely to enquire into the legality of this judgment, and he founds this right on the principles of the constitution. The undoubted right of enquiry being established, he in the next place gives us a plan of the examination he proposes to make of this important point, in the following order; "I shall in the first place collect from books of the best authority, the several legal restraints on the general freedom of elections, so far as the same render or declare any description of men ineligible into parliament; and shall endeavour to shew on what principles those restraints are founded, and by what authority they exist."

If Mr. Wilkes was not under any of those *legal* disqualifications, his incapacity must be argued upon the ground of its being the implied and necessary consequence of his expulsion. I shall therefore, in the next place, consider the power of expulsion exercised by the house of commons, and the two purposes to which it may be directed, either for punishment in  
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the case of an offence within the criminal jurisdiction of the house, or, in cases out of the reach of that jurisdiction, for the removal of a member whom the house deems unfit to execute the trust reposed in him, and to enable the electors to make a better choice.

Much light will be obtained, by examining what title the house can set up to the power of disabling, by direct and express sentence, any person from being elected; in what cases this power has been exercised, in what times it has been carried to its utmost length, and how long it has been abandoned. For if it shall appear that this power is not founded in reason or practice, it will be difficult to maintain that an incapacity, which the house cannot inflict by an express resolution and judgment, shall follow by implication and inference, as the consequence of a much milder sentence.

It will be necessary also to examine, how far either precedent or practice, common sense or good policy, support or controvert the conclusion; that incapacity of being elected is the implied consequence of an expulsion, in either of the cases which I have mentioned; but particularly in such a case as Mr. Wilkes's, where the house expels, not for an offence against the house, and within its criminal jurisdiction, but merely for the unfitness and unworthiness of the member.

In this course, I mean to pursue this enquiry, and I shall close it, with stating the consequences which I apprehend from the judgment lately given, and in what manner, and to what degree, they seem to affect the constitution of this country."

These are the general outlines of the work contained in chap. I. The second chapter gives an ample enumeration of the qualification of candidates, and their disabilities at common and statute law; from which an inference is drawn against the power of the house, to disable by its own resolution, and applied to Mr. Wilkes's case. In chap. 3, the writer demonstrates, that expulsion does not imply an incapacity of being re-elected, in the common sense and meaning of the word. And of the two purposes for which the house exercises the power of expulsion, he shews that Mr. Wilkes's case comes under that of removing members for their unfitness. And in explaining the charge brought against him, he follows the thread of Mr. Grenville's arguments almost word for word. The power of the house to disable by express sentence is contested at large in chap. 4, and finally disallowed; when exercised for punishment. In chapter 5, it is asserted, that with respect to unfitness only, which was Mr. Wilkes's case, the house has no power to disable—It may expel, but the electors can re-elect. And the consequences are considered, as well where the house abuses its power in expelling

expelling a good man, and refuses to receive a member legally elected, as where the electors persevere in sending a bad man back to parliament. Under this head our writer betrays his weakness, and affronts the understanding of the purchasers of his work, for after having pursued his subject in a masterly manner, supported by precedents from the law of the land, and from the custom of parliament, and raised our expectations of his abilities, when he comes to a delicate point, which has never yet been treated by the writers on either side of the question, and which he had better not have started since he could not manage it, instead of discussing it rationally, he descends to a puerility of satire, and dismisses it with an awkward witticism. We are apt to think every critical reader will not only be disappointed, but exasperated at this part of the work. For after having told you what punishment the house would deserve for expelling a good member, no less than *dissolution*; when he comes to the question of what is to be done where the electors persevere in sending back a bad man to parliament, to the disgrace of his friend Wilkes, and without attempting to justify the electors of Middlesex—he only tells you, “*that one scabby sheep could not infect the whole flock*.” That he always thought it a gross affront to the house of commons to imagine, that one bad man can do any mischief in it. And that it puts the members there on the footing of old maids and prudes, who are afraid to let *sin* come near them, lest they should be tempted to taste it.” Could the adversaries of Mr. Wilkes have painted him in blacker colours than this writer, who in other respects may be called his fiery friend.

Chapter 6, opens with marking the difference in the language of parliament, between expulsion and disability. And several cases supposed to be favourable to the writer's opinion, but which have been brought to prove the very contrary by other authors, are stated at large. This chapter concludes with an observation that may prove hereafter of great utility to Mr. Wilkes. It is this, “That Mr. Wilkes's case is not one of those in which conviction in the king's courts works an incapacity of holding offices of trust.”

The other arguments that have been made use of to prove the incapacity of Mr. Wilkes, and that in particular of his being a prisoner in execution, form the material part of the next chapter. In which our author returns to his old trick of chicaning on knotty points which he cannot master—His comparison between Mr. Wilkes's imprisonment, and that of a debtor is truly ridiculous, and not in the least to the purpose, as will fully appear by comparing his reasoning on this head, with the observations of the writer of the re-  
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marks on Mr. Grenville's speech, relative to the incapacity arising from Mr. Wilkes's situation.

Chapter 8, contains observations and criticisms on some late publications upon the same subject.

We now come to the concluding part, the scope of chapter 9, being to point out the danger of transgressing the bounds prescribed by law—And to shew how this *précedent* tends to varying the rights of election in all places, and particularly to extend the landed qualification of electors for counties.

What he advances on this useful part of his subject, is too remarkable and conclusive to be passed over in silence, we shall therefore give it in his own words, and so take leave of the performance which ought to be well studied by young members of parliament and lawyers, who may be employed in parliamentary business respecting elections.

“ Not only elections ought to be free; but the members ought to be well assured, that they may debate without fear, and correspond with their constituents in perfect security. *Now* a member may be expelled for writing to his constituents a fair, modest, and honourable account of his own conduct. For it must be impossible to vindicate his own conduct without censuring that which he opposed. In the warmth of a debate an intemperate leader may take offence. The house may be *complaisant enough* to make the quarrel its own. The offender may be brought to the bar immediately and expelled. A free animadversion on *the worst letter* that a secretary of state could write may be taken up by the house as a ground for expulsion. *Any imprisonment for any offence*, conviction for a crime for which the *pillory might have been ordered*, and, upon the same principle, for which sentence of imprisonment *might have passed*, all these are *now* held fit and justifiable causes of expulsion. Ample provision is made for removing from the house all troublesome members, who are offensive to a great leader, and disturb his rest. Incapacity for the rest of the parliament, perhaps in the prime of their lives, in the most important part of that parliament, is to follow as the necessary consequence of the expulsion. The severity of this *new law* of parliament will be felt equally by the *electors* and elected. Their country will want the service of the expelled members: in bad times every good man is of great value. While on the other hand, wicked and abandoned ministers will have secured success to their desperate designs, by removing their principal opponents and intimidating the rest.

The judgment in question is confessedly not a judgment upon the *statute law*; it is not upon the *law*, nor by the *custom of parliament*: For the precedents, and the general course of  
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proceedings in the house of commons, are against it. It is not founded on the *opinion of learned men*, those sages who have left us their collections and observations on the laws of this country; nor on any *tradition* delivered down from ancient times. The circumstances of the case *taken altogether* are new; even Mr. Walpole's case differs essentially from it, and suggests strong and convincing arguments against its power of the house to disable in consequence of an expulsion and still stronger against its power to admit the *second on the poll* in consequence of such disability.

It is a most dangerous thing to allow to any house of commons, or to any court, such latitude of construction either of the common or statute law, as may impair and diminish the rights of the electors. In other cases, that construction which *most extends* their right is *most favoured*. I have seen it laid down in our law books, that all restraints upon common right, whether by charter, bye-law, or usage, are to be strictly construed; and with regard to the right of electing to public trusts, no charter nor bye-law can in any respect lessen, or confine it to a smaller number than that in which the antient law has placed it.

No authority less than the whole legislature can take away the *right* of a single elector. In a late instance, a *doubt* whether certain customary freeholders had a right to vote in elections of knights of shires, was not left to be decided by a resolution of the house. An *act of parliament* was thought necessary to declare they had not; however satisfactory might be the treatise wrote by Dr. Blackstone to prove, that the claim they set up was ill founded. They were in possession, at least in some places, and therefore considered as not fit to be removed but by act of parliament.

In the present case, the electors in general are in possession of the *right* of returning whom they please, not being disqualified by the *known laws* of the land. A *new* disqualification is set up by a *vote of one house of parliament*, not known before, *attempted* in the case of Mr. Walpole, *imperfectly executed* then, and *never acknowledged*. This is now carried into effect, and a member sits confessedly upon a *minority of votes*.

The precedent will hardly stop here; temptations will daily present themselves. The influence of the crown, within the house and out of it, grows immensely. We do not discover that spirit of disinterestedness and independence, that firmness and virtue, so necessary to encounter this influence, and prevent its fatal effects. The time perhaps is not very distant, when we may see the most hideous monster that was ever produced; a house of commons servile and abject to the court, licking the dust from the feet of the favourite, haughty,

haughty, arbitrary, and tyrannical to those who gave it being.

Then the *rights* of the electors will be things to be *laughed at*. Upon the principle, that the *vote* of the house once given in a case competent to its supreme jurisdiction is the *law of the land*, which of those rights will be any longer secure? The same authority which, under *pretence* of declaring the law, may set up a disqualification not known to the law of the land, nor to be found in the history of parliament, will play with its judicature at pleasure, and transfer the rights of election from one set of men to another, as shall best answer its own purposes.

It is but one little step further, and the house may reduce the number of freeholders to the wish of a minister. Stealing above 12d. is grand larceny by an act of parliament, 3 E. I. Criminal courts are as liberal as they can be in the execution of that law. If no evidence of the value is given by the prosecutor; or if that value is not fixed accurately, the judges will often recommend it to the jury, or at least tell them that they are at liberty to find the value of the things stolen under 12d.; having respect to the great alteration in the value of money since the passing of that act. This liberality, being in favour of life, and not carried so far as to *dispenſe* with the law by a *positive direction*, where the value of the things stolen is *ascertained* by evidence, is very commendable.

By statute 8 H. VI. c. 7. *Forty shillings a year* in freehold lands give the freeholder a *right to vote*. Whatever restraints have been since imposed upon him, they have been imposed, not by a *resolution* of the house, but by *act of parliament*. If this *latitude of construction* is permitted in one house only, and the competency of the house entitles its decisions upon the rights of the electors to be considered as the law of the land, have we not reason to fear that it may become a question, to be decided there, whether the *forty shillings*, which give the freeholder his qualification, shall be construed according to the value of money *in the time of H. VI.* or according to its present value? Dr. Blackstone has *already* made the computation. He tells us, in his Commentaries, that *forty shillings in the time of H. VI.* are equivalent to *twenty pounds in our time*. And if a house of commons should hereafter be inclined to put that construction upon the qualification of a freeholder, and fix it at *twenty pounds a year*, I have no doubt that there might be found more than one court lawyer to argue, from the *liberality* with which the courts of law carry into execution the act of E. I. in cases of grand larceny, from the *competency* of the house to decide upon the rights of election, and from its *supremacy*, that it was a *good judgment*, and *well founded in common law*.

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